

Terrorist bomb trail leads to semi in Oxford

BY STEPHEN FARRELL
AND STEWART TENDER

A TRAINEE accountant from Oxford found himself at the centre of an international terrorist inquiry yesterday after a Middle East bomber assumed his identity.

Andrew Newman's passport went missing three years ago on a camping holiday in France. He reported the theft and thought nothing more of it. But last week it turned up in the possession of a terrorist who prematurely detonated three kilograms of explosives in the Lawrence Hotel in Arab east Jerusalem. Intelligence sources believe that he was planning to bomb the Al Aqsa

mosque or other Muslim holy sites. Israeli police contacted Britain's National Criminal Intelligence Service, who confirmed that the passport was genuine. Within hours its bewitched owner and his wife, Judi, were questioned by Scotland Yard and Thames Valley detectives.

Neither Mrs Newman nor her husband was Jewish and neither had ever visited Israel, she said. "It is very upsetting to learn that your passport and identity has been used in such a horrible way. My husband is very distressed about it all. We have got absolutely no connections with terrorism or Israel. It was just one of those things which can happen."

Mrs Newman's father, Brian, said: "The passport was stolen from a campsite in Paris when we were on holiday in April 1993." Mrs Newman said. "The thieves got into our tent and stole all our belongings. We

reported it to the French police straight away, were issued with replacement documents and effectively forgot about it. We had no idea who had done it and that was the last we heard about it until the police contacted us this weekend."

Neither Mrs Newman nor her husband was Jewish and neither had ever visited Israel, she said. "It is very upsetting to learn that your passport and identity has been used in such a horrible way. My husband is very distressed about it all. We have got absolutely no connections with terrorism or Israel. It was just one of those things which can happen."

John Stonehouse, the disgraced Labour minister, fled in 1974 using a technique described in Frederik

"My son is a very private man and very sensitive. This is the first time we have had anything to do with the Middle East."

British passports can fetch up to £80,000 on the international black market as a travel document accepted by drug-runners, terrorists and spies.

The price depends on the desperation of the buyer. A British passport might fetch a few hundred pounds in the Middle East but would be most valuable in Hong Kong to locals fearing China's takeover of the colony in 1997.

John Stonehouse, the disgraced Labour minister, fled in 1974 using a technique described in Frederik

Forsyth's *Day of the Jackal* by applying for the birth certificate of a child who was dead and therefore had never had a passport.

The Jerusalem monarch's real identity remained a mystery last night as Israeli police won a court order banning publication of his name until April 19.

A Foreign Office spokesman said last night that there was no reason to believe the would-be terrorist was British, but confirmed: "The person who was holding the British passport in the name of Mr Newman was not the person to whom the passport was legally issued."

Lebanon plea, page 11

Shadow minister hits back at criticism from 'highly placed' Labour sources

Tax row prompts Short to pull out of TV interviews

BY ARTHUR LEATHLEY, POLITICAL CORRESPONDENT

CLARE SHORT was silenced yesterday after she attacked Labour's spin-doctors over their criticism of her support for increasing taxes.

Ms Short, the Shadow Transport Secretary, was replaced by her deputy in a series of interviews on the Government's Railtrack sell-off because of fears that she would be diverted into answering questions on tax. However, her first interview on BBC Radio 4's *Today* was dominated by her vehement attack on Labour officials who had criticised her.

"There are these unknown, so-called highly placed sources — I don't know who they are," she said. "I don't respect people who hide behind those kinds of description."

On Sunday, Ms Short said: "In a fair tax system, people like me would pay a little bit more." The continuing embarrassment over her remarks prompted party managers, apparently with her agreement, to arrange for Brian

However, she said that she

was not referring to those earning the equivalent of an MP's salary of £34,085. She also received a widow's pension and fees for media work, which increased her income above that of an MP, although she did not say by how much.

Labour figures emphasised that Ms Short's remarks on tax did not affect party policy, which would not be announced until close to a general election. They also dismissed suggestions that she might stand down from the Shadow Cabinet.

Ms Short regularly attracts one of the biggest votes in the Shadow Cabinet election and colleagues acknowledge that it would be a personal embarrassment to Mr Blair if he lost a senior frontbencher appointed to her present post less than six months ago.

John Prescott, the deputy Labour leader, defended Ms Short. "Clare has made one or two personal remarks about her own personal situation," he said. "She is entitled to make a personal remark."

She added: "I said as a personal remark — and I think politicians should have a moral attitude to politics and not just preach to others that people like me could afford to pay a bit more."

However, she said that she



Short: "These so-called highly placed sources — I don't know who they are"

Campbell: chief of the young spin doctors, known as the "kindergarten cabinet"

How the spin doctors smothered a throwaway remark

BY ARTHUR LEATHLEY

A SINGLE off-the-cuff remark from the forthright Clare Short provoked Labour's backroom team into one of its most combative campaigns to rubbish the views of a senior frontbencher. She said that "in a fair tax system people like me would pay a little more".

Labour's spin doctors, among the few who prised themselves out of bed early enough to watch Ms Short appear at 7.30am on GMTV's *Sunday* programme, were dismayed. The enigma came days after Tony Blair

had used a visit to the United States to underline his message that middle-income earners would not be vulnerable to higher taxes.

Mr Blair's aides immediately feared that her comments had the potential to wreak huge damage. By 9am, telephone lines between senior officials were humming with plans to dampen the expected media interest in the story.

By lunchtime, senior Tory ministers had started using radio and television news programmes to proclaim a Labour gaffe. Labour officials responded by whirring into over-

drive. By mid-afternoon, journalists were told by senior aides that Ms Short had gone too far, had realised her error and was anxious to put the record straight. She was not referring to middle-income earners, they said, and had agreed to a statement making the point clear.

Ms Short's allies responded. They briefed journalists to the effect that Ms Short's statement did not mean she was accepting blame for a gaffe. One said: "She felt the party was over-reacting."

At this point, party colleagues started to raise questions about Ms

Short's competence. "While the Shadow Transport Secretary remained unavailable for comment, frontbench colleagues cast doubt over the wisdom of allowing her to speak beyond her transport brief."

Labour's team of youthful spin doctors, dubbed the "kindergarten cabinet", is led by Alastair Campbell, Mr Blair's press secretary. Peter Mandelson, MP for Hartlepool, oversaw its formation but he has veered away from day-to-day briefing since taking on a formal frontbencher role as public-service spokesman and taking charge of election strategy from the

party's media centre in Millbank.

Among the leading lights of the media and policy team are Tim Allan, a Cambridge-educated former television researcher, and Peter Hyman and Pat McFadden, members of Mr Blair's policy team and directly accountable to the leader.

The trio are backed by experienced party workers steeped in Labour tradition, including David Hill, chief media spokesman, Hilary Coffman, a press officer who worked with Neil Kinnock and John Smith, and Anji Hunter, who runs Mr Blair's private office and his diary.

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Trial plea

Continued from page 1
On the steps of the courtroom, expressing their personal belief in the client's innocence to the public at large threatens to escalate into the sort of media circus which disfigured the trial of O.J. Simpson," Lord Taylor said.

There was also a growing tendency for defence lawyers to apply for a trial to be stopped before it had started on the ground that prior media coverage made a fair trial impossible.

Judges had a reputation for being aloof. This led to the view: "not borne out by the facts", that judges are out of touch.

In the absence of any reply it would be assumed that judges believed they could ignore criticism or that they had no good answer to it. On occasion, judges should be prepared to speak out on matters concerning the law and the courts — and be ready to answer criticism and explain policies, he said.

"It should not be done too often, but it can and does have a role to play in the evolution and development of a sound legal system.

Judges have theoretically been free to speak out on matters of public interest since the Lord Chancellor scrapped "vow-of-silence" rules in 1987.

Lord Taylor, who took up his post four years ago, has led the way in making speeches and giving press conferences and interviews. He is also taking a prominent role in opposing the tougher mandatory sentencing proposed by Michael Howard, the Home Secretary.

Mark Stephens, a solicitor who has acted in several prominent cases, said Lord Taylor was right. "The showboating by some lawyers before the cameras, in effect media stars, has gone on for too long."

Nazi cash

Continued from page 1
it will remove Flick's name. The college declined to comment last night, stating: "It is a matter for the university."

Oxford had changed the title of the professorship to make clear the benefactor was Dr Flick and not his late grandfather. Friedrich Flick was an adviser to Heinrich Himmler and used 48,000 slave labourers, mostly Jewish, to help him to build Germany's richest industrial empire. About 40,000 slaves, whom he obtained from concentration camps, died in appalling conditions. He was jailed for seven years in 1947 but freed in 1950.

The decision follows a letter from Dr Flick to Dr North last Friday in which he said: "I write today to express my wish that my name be removed from the chair and that the endowment money be returned to me."

Michael Pinto-Duschinsky, whose article in The Times last November initiated the debate, said there could now be greater scrutiny of other sources of university funding. He said Oxford had also accepted money from the late Hermann Abs, a financier, who was on the board that provided money for Auschwitz. He added: "I think there will be some fairly far-reaching questions about the way universities raise their money as a result of this."

The decision was applauded by the Jewish community. Ned Temko, editor of the Jewish Chronicle, said: "The issue of compensation to the relatively few survivors of those slave-labour camps, which the donor's grandfather operated in Nazi Germany, has never really been addressed fully. As long as that issue is outstanding, the acceptance of an endowment for a chair was inappropriate."

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Major salutes 'rock' monarchy

THE TIMES TUESDAY APRIL 16 1996

HOME NEWS 3

Scottish theologian denies sex attacks on five women

By GILLIAN BOWDITCH, SCOTLAND CORRESPONDENT

A LEADING Scottish churchman carried out a series of sexual assaults on five women, a court in Edinburgh was told yesterday. Donald Macleod, 54, Professor of Systematic Theology at the city's Free Church College, denies the charges.

Edinburgh Sheriff Court was told that Professor Macleod assaulted a senior lecturer in statistics after she had visited him at his college rooms in 1986, where they had discussed theology and the Old Testament book of Malachi.

The woman, aged 35, said that the professor had described his wife as a jealous woman and then hugged her, saying that his career would be damaged if anyone found out. She said the professor put his hand under her blouse,

pulled her down and put his hand up her skirt.

"I was physically paralysed," she said. "I may have tried to push his hands away, I kept on talking, telling him that what he was doing was wrong. He said something like, 'If it feels right, it is right.'

The woman said that after the assault, which lasted between 30 and 90 minutes, the professor had unlocked the door and let her go, saying that she was stronger than he had thought.

Later that year, when she was suffering from depression, she went to a Free Church service in Dunblane, at which Professor Macleod was preaching, and to the social gathering afterwards. She had planned to return to Edinburgh by train but it had

been suggested by someone that the professor give her a lift.

She told the court: "I couldn't say anything. The professor is a very able preacher, very charismatic, and has a very large following." She said that she was forced to accept the lift.

On arriving in Edinburgh, the professor parked close to the university buildings where she had studied and put his hand under her blouse. She left the car and at a later date told a friend.

Andrew Hardie, QC, for the defence, said her tale "beggared belief" and he suggested that she had fabricated the assault because the professor had stopped answering her letters.

A 28-year-old graduate said that she had visited Professor Macleod and his son in the summer of 1985 when she was 17. It was the first time she had been left alone in Edinburgh by her parents, who were members of the Free Church. "I was in high spirits and I felt very grown-up," she said.

She said that on arriving at the professor's home in Edinburgh she was shown into the kitchen, where she had a light-hearted chat with the professor and his son. But, she said, the professor sent his son to a shop to buy ice-cream and then persisted in asking how she really felt.

She said that he adjusted the blinds, returned to where she was sitting, stood between her legs and told her to stand up. "I'm quite short, and he lowered himself to my level and he asked me again how I felt. I felt quite scared," she said. "He put his arm around me, and then he kissed me, and put his tongue in my mouth and pressed his lower pelvic regions against me."

The woman said that she had told a school friend the next day and some time later had spoken to her parents. Under cross-examination by Mr Hardie, the lecturer denied that she was lying. The trial continues.

Photograph, page 1



Diane and Nigel Thompson yesterday, above, and as they were three years ago

Couple rolled away the stones

A COUPLE who were reduced to tears when they saw themselves on a Christmas video struggling to get through patio doors at their home have been named Mr and Mrs Slimming World 1996 after losing 21 stone.

Nigel and Diane Thompson took three years to shed almost half their weight. Mrs Thompson, 37, an accounts supervisor, has gone from 16st 1lb to 11st 12lbs.

The couple, from Ferryhill Station, Co Durham, won a holiday to Venice for their

efforts, with Mrs Thompson also taking the title for the greatest overall weight loss. Mr Thompson, 40, a toolmaker, said: "I managed to hit my target six months ago, but it was a lot harder for Diane because she had to lose so much more."

"I loved her when we met and have always loved her,"

she's such a wonderful person. Her weight didn't matter to me, but it was clear it mattered a lot to her. I'm so proud of her, she's really stuck at it."

"We get so much more out of life now," Mrs Thompson said. "Before I could hardly walk a few steps without being out of breath."



MP tells of police delay after Mawhinney hit in paint attack

By A STAFF REPORTER

FOUR 999 calls were needed to summon police to the scene of a paint attack on the Conservative Party chairman outside the Commons, a court was told yesterday. Despite requesting their "swift attendance", the MP Alan Duncan said it was at least 20 minutes before officers appeared.

In the meantime Mr Duncan tried to make a citizen's arrest of people allegedly involved in throwing paint and flour at Dr Brian Mawhinney in protest at the Immigration and Asylum Bill.

The delay was the subject of a top-level police inquiry. Bow Street Magistrates' Court, in central London, was told. It resulted in police apologies to both the Cabinet minister and Mr Duncan, his Parliamentary Private Secretary.

Before the court are four students, Karen Doyle, 19, from Camden, Naveed Malik, 18, from Clapton, Amanda Egbe, 20, from Stoke Newington, Nick De Marco, 28, from Upper Clapton Road, Clapton, and Anthony Gard, a teacher, from Brockley, all London.

They each deny two charges of common assault and one of threatening behaviour on November 15 last year. Stuart Sampson, for the prosecution,



claimed that all except Mr De Marco were directly involved in hurling plastic bags of orange paint and flour at Dr Mawhinney and his wife, Betty. One of the bags of paint caught the minister on the back, also splattering his wife. The damage to her clothing and handbag cost her £500 to put right, she told police.

The hearing continues.

During one of them the police officer advised him he was entitled to make a citizen's arrest if those involved tried to get away. Mr Duncan said after his third call he attempted just that. Television news footage played to the court showed him running after the alleged attackers. He eventually put his arm around one of the women defendants.

"I said to them that I am entitled to make a citizen's arrest but please wait until the police arrive."

The hearing continues.

Award for villagers who got their man

By RICHARD DUKE

FURIOUS villagers who formed a posse to help police to track down a burglar after he broke into their homes were presented with a special award last night.

The people of Kelsall, near Chester, received a Good Citizen commendation from the Chief Constable of Cheshire in what is believed to be the first time an entire community has been rewarded in such a way.

The villagers lent their cars to police and joined the search for the burglar, who made break-ins at 12 homes in the early morning of September 3 last year. Wayne Sellars was eventually cornered, arrested and found to be armed with a flick

knife. He was jailed for 18 months.

Sellars had already begun his burglary spree when a villager reported him acting suspiciously at 6am. Police then called in a spotter plane and tracker dogs to trace him. Mike Corwood, 37, a farmer, gave the police use of his Land Rover after Sellars was spotted on his land.

"The police did not know the area and they were welcome to use my vehicle. I went to know them giving directions," he said. "It was like something from the movies. People were saying, 'Let's have him, let's keep him out of the village.' It was a job well done."

Pamela Smyth, 32, who saw Sellars running across a field, said: "As soon as we heard

walkie-talkies and the police plane overhead, my husband Frank went upstairs to the bedroom and trained his binoculars on the field. Suddenly he spotted the burglar, who had red hair, near some bushes, and dashed outside to tell the police. Everyone then dashed into the field and ran after the man until they managed to catch him.

"We in Kelsall take pride in our houses and we believe they had caught him everybody was excited and very happy." Jane Holden, 35, said she and her husband Stephen, also 35, allowed police to use their back garden as a cut-through. "They asked Stephen how to get to a certain part of the village, and he said, 'Jump in my Audi and I will show you.' He ended up ferrying them all over the village. The villagers were all standing around excited, waiting for the news of an arrest."

Mervyn Jones, the Chief Constable, said when making the award last night: "This is an excellent and practical example of the public and police working in total co-operation in order to secure the arrest of an offender."

Woman cheated her husband to erase memory of his ex-wife

By A STAFF REPORTER

THE wife of an airline pilot was jailed for four months yesterday for fiddling her husband out of thousands of pounds. She lavished the money on expensive home improvements to make the home he had once shared with his first wife her own.

Ian was born in 1985, but they had to wait until 1988 for her divorce before they could marry. By the time they were married, she was already plotting against him.

She took £28,429 from a personal loan account he had set up at Lloyds Bank using his Gold American Express Card in 71 forged withdrawals. She also forged his signature to open an Optima credit card account with American Express and used it to run up a £7,500 bill. She hid the details from her husband as a financial adviser brokering mortgages.

Northampton Crown Court was told that when the deeds came through to release the £88,000, she tricked her husband, who earned £50,000 a year, into signing the papers, paid off the existing mortgage and pocketed the £41,000 difference. The couple have since divorced.

Mr Linaker told the court: "I came home one evening. My then wife presented me with a folded form while I was eating dinner and asked me to sign it. She dealt with all the finances and I trusted her completely."

Linaker forged her husband's signature on the back of the Coventry Building Society cheque and paid it into a personal account, of which her husband knew nothing.

He discovered his wife's deceit only when, by chance, he found a string of concerned letters from his bank manager at the bottom of a cupboard in their son's bedroom. Mr Linaker was advised by his lawyers to go to the police after the couple's acrimonious divorce in 1994. He has since won custody of their son, Ian, now ten.

Linaker, who had been married before and had two sons from a previous marriage, also raided her husband's bank account, using some money to renovate the house and irritating the rest. The couple met while she worked

for British Midland. Mr Linaker was still married to his first wife but Lila eventually moved into the former marital home.

Ian was born in 1985, but they had to wait until 1988 for her divorce before they could marry. By the time they were married, she was already plotting against him.

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Asked by Geraldine Chapman, for the prosecution, if his wife ever told him about money problems, Mr Linaker said: "Quite the contrary. She said we were saving money."

Thousands of pounds were spent on curtains, carpets and furniture. Lila Linaker told the court: "I was doing up the house. My husband had lived there with his first wife and I wanted to make it my own." She also donated £4,000 to a local church. She pleaded guilty to five counts of forgery between 1987 and 1991. She was sentenced to four months in prison.

Yvonne Coen, for the defence, said: "When Ian was born she was suffering from post-natal depression which led to compulsive overspending. It may explain why things started to go awry."

"She spent a lot of money on the house and made payments to the church to alleviate her guilt. She didn't recognise it as wrongdoing, but something which had got out of control."

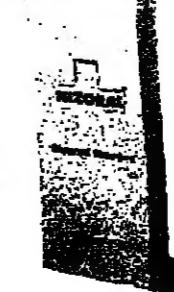
Judge Francis Allen told her: "It seems to me your husband was a fool — rather a naive fool, but essentially an honest man. You were deceitful, devious and untruthful. It was deliberate fraudulent behaviour over a long period."

Afterwards Mr Linaker said: "I still don't know where the bulk of the money went."

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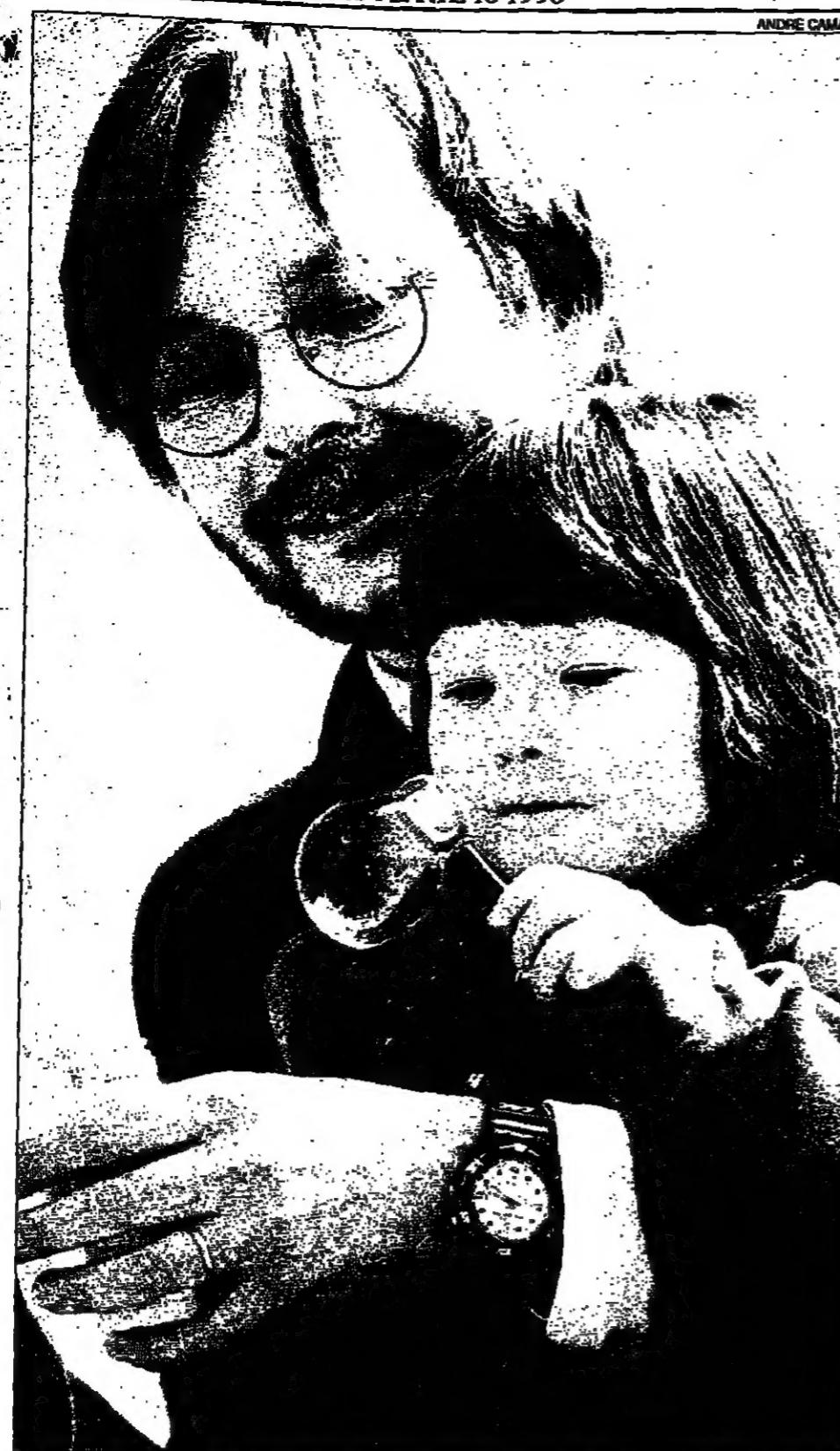
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Plenty of puff: Sarah Desoto with transplant surgeon Martin Elliott yesterday

'Flesh-eating' bug kills mother two weeks after baby is born

BY CAROL MIDDLETON

A WOMAN who contracted the so-called flesh-eating bacteria days after giving birth to her first baby has died in hospital.

Jill Maskell, 29, fell ill with necrotising fascitis a few days after having her daughter Louise in Hillingdon Hospital, London, and was readmitted as an emergency patient two weeks later. When her condition deteriorated she was transferred to the Derriford Hospital, Plymouth, and received pioneering oxygen treatment in a compression chamber at the city's Fort Bovisand medical centre. Doctors hoped that by placing Mrs Maskell in the chamber, used for treating patients with gangrene and carbon monox-

ide poisoning and divers with the bends, they might halt the spread of the bacteria by dissolving oxygen into the plasma of the blood. Oxygen is pumped into a pressurised chamber at three times the normal atmospheric pressure for three hours at a time.

The bacteria that infect the tissue cannot survive if they are oxygenated. Necrotising fascitis, caused by a common bacteria which, in rare cases, attacks muscle and fat, has killed at least 22 people in Britain since 1994. There are about 50 cases a year and of those some 30 per cent are fatal. Mrs Maskell's infection was too advanced and she died on Friday in the intensive care unit with her husband, Carl, at her side.

Dr Phil Bryson, from the

Fort Bovisand centre, said: "Treating patients in this unit has proved successful in improving the patient's defence mechanism and stopping the spread of bacteria but unfortunately in this case it was not. This patient had severe post-delivery problems and although we have our own theories about how she contracted this condition there will be an investigation."

Mrs Gaskell complained of

feeling unwell and her legs swelled a few days after she returned to her home in Harrington, west London, after her baby was born on March 20. She had had a normal delivery, without surgery or stitches.

After being ill for two weeks she had surgery, understood to include a hysterectomy, but

hours. In 1994 another mother died from necrotising fascitis days after giving birth by Caesarean section. At first doctors in Chertsey, Surrey, thought she had septicemia and was recovering but a microbiologist discovered the bacteria. She died at Queen Mary's Hospital, Roehampton, Surrey. Last year Linda Smith, 30, from Falkirk, Scotland, contracted the condition two days after giving birth but survived.

Her condition did not improve. Five days later she was transferred to Plymouth but died on April 12. Mrs Gaskell's daughter is not in danger. Mr Gaskell was too distressed to talk about his wife's illness.

The gangrene-like infection is associated with the common streptococcus bacterium which is carried harmlessly by one in ten people in the throat and nasal passages.

Usually the bacteria causes just a sore throat but in four out of 100,000 people a year it causes toxic shock syndrome. If caught early enough it can be cured with antibiotics but it reproduces rapidly and spreads quickly under the skin by destroying fatty tissue.

By this stage it is resistant to most antibiotics and in extreme cases can kill within

University research 'at risk'

BY NIGEL HAWKES

RESEARCH at British universities is under threat, the academics of science, engineering, medicine and humanities said in a report yesterday.

Too many universities are fighting for too little research money, while the rapid growth of student numbers leaves academics less time for research.

A committee chaired by Dr David Harrison, Master of Selwyn College, Cambridge, says that to make optimum use of resources, each university should concentrate on what it does best: some would emphasise teaching, leaving others to bid for research support. A new source of funding is also proposed.

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Arts Council poised to grant £30m to National Theatre

BY RUSSELL JENKINS

THE National Theatre is set to receive more than £30 million in National Lottery money, a grant likely to provoke charges that London's arts institutions are being favoured yet again.

The Arts Council's Lottery Board is expected to confirm soon that it is ready to grant the bulk of the £42 million that the theatre estimates it needs to transform its grey concrete headquarters on the South Bank into an attractive complex. A redesigned entrance will be extended to the river, a square created and

front-of-house and backstage areas refurbished.

There was outrage among MPs, charities and regional arts groups last year when the Royal Opera House was awarded more than £55 million and major grants were announced for Sadler's Wells, the Royal Court Theatre and the Globe project.

Yesterday David Hanson, MP for Delyn and secretary of the Parliamentary Labour Party's Heritage Committee, said that major regional theatres, such as Theatre Clywd in his constituency, were facing financial crises. "I cannot begrudge the National The-

atre the investment from the lottery because it is a national resource," he said.

"However, I think there should be a much greater emphasis on support for the regional theatre because the vast majority of people who purchase lottery tickets live in the regions."

Senior staff at the National Theatre have been told privately that their application has been successful but there was embarrassment among officials when the news was leaked to BBC Radio.

Neglected gallery, page 33
New London theatre, page 34



An impression of the proposed millennium Ferris wheel on London's South Bank

Giant Ferris wheel nears takeoff

BY RUSSELL JENKINS

BRITISH AIRWAYS is backing plans to build an enormous fairground Ferris wheel in the centre of London to celebrate the millennium.

The company is expected to underwrite much of the

wheel as part of its contribution to the national end-of-century party. The airline's involvement, which will be announced tomorrow, could make the project a reality.

The wheel, larger than 172ft than the current largest, in Japan, would tower over Big Ben from its site on the South Bank.

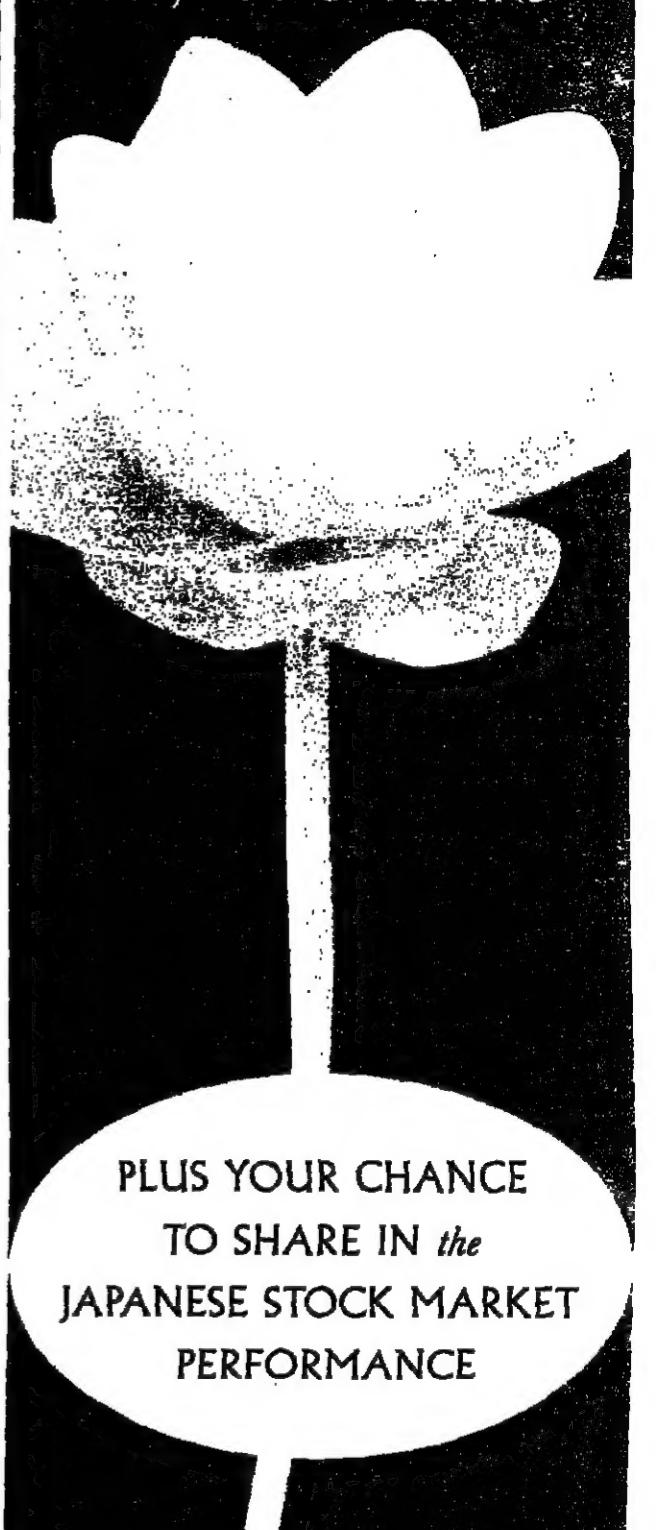
The passengers, 16 in each of the 60 capsules, paying £5 each, would travel at 1ft second, having an uninterrupted view across London and beyond. Plans for the project have been lodged with

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LOTUS

Newsreader urges renewed pride in English language

BY DAVID CHARTER, EDUCATION CORRESPONDENT

A CULTURAL shift is needed to restore pride in the English language, Trevor McDonald said yesterday.

Launching the Better English Campaign, the ITN newsreader said he was prepared for a long campaign to make young Britons as anxious to excel at English as their global competitors were. He was "astounded" at reports that some universities had to run remedial training in English for undergraduates.

The campaign is to send authors such as Beryl Bainbridge and Melvyn Bragg into schools to try to revive interest in the language. Magazines, local newspapers and radio stations have agreed to help to raise awareness of the benefits of good English.

The campaign was announced at last year's Conservative Party conference by Gillian Shephard, the Education and Employment Secretary, to end "communication by grunt" among the young.

Mr McDonald, the chairman of the campaign, said at the launch in London: "We are

very fortunate to have a major global method of communication as our mother tongue but we are cursed by the tendency to take it too much for granted. It is incredible that we seem to neglect English while other people all around the world are rushing to learn it."

The campaign will focus initially on the importance of communication skills for young people in work or looking for work. Mr McDonald stressed the aim was not to eradicate regional accents but to show that there were advantages in being able to communicate in a more formal way on some occasions.

Peter Davis, chairman of the Prudential and a member of the steering committee, said poor English cost business millions every year, spent on extra supervision and correcting orders. More than £300 million was spent recruiting externally because poor basic skills limited internal promotion.

The campaign is appealing for other organisations to help with costs and equipment.



Szymon Serafinowicz, 85, leaving Dorking Magistrates' Court yesterday

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First war crimes trial in Britain to start in autumn

BY BILL FROST

BRITAIN'S first war crimes trial will begin at the Old Bailey this autumn with an 85-year-old Surrey pensioner in the dock accused of murdering Jews in Nazi-occupied eastern Europe.

There was sufficient evidence against Szymon Serafinowicz, a retired carpenter living in Banstead, to commit him for trial, Dorking Magistrates' Court decided yesterday.

He is charged under the 1991 War Crimes Act with murdering three unnamed Jews in Belorussia when the region was under Nazi occupation. One was aged 82.

Mr Serafinowicz settled in Surrey after the war with his Polish-born wife, who died some years ago. He was arrested and charged in July 1995. Mr Badge said Mr Serafinowicz would be tried at the Old Bailey and should appear on May 10 for a pre-trial hearing.

Mr Serafinowicz, who had

been in court throughout the 22-day committal hearing, listened intently as Mr Badge gave his ruling. He frowned and constantly adjusted his flat cap as his sons Kazimierz, 49, and Szymon, 52, looked on from the public gallery. Earlier during the hearing he had shaken his head in disagreement several times.

Nicholas Bowers, Mr Serafinowicz's solicitor, said after the hearing that his client would fight the charges against him and was delighted that one of the counts had been dropped. "In respect of the charges that remain, my client firmly maintains his innocence and he has instructed me to prepare a full and vigorous defence to those charges. He is in fact looking

forward to establishing his innocence before a jury," he said.

The first charge alleges that Mr Serafinowicz murdered an unknown Jew in Mir on November 9, 1941. The second, that he murdered an unknown

Jew at Krymizne between December 31, 1941, and March 1, 1942. The third count is that he murdered an unknown Jew at Dolmatowsczyna between November 9, 1941, and March 1, 1942.

Mr Serafinowicz is the first person to be prosecuted under the 1991 Act, which allowed charges to be brought by the Crown Prosecution Service although the offences are alleged to have happened in Nazi-occupied Europe.

The defendant was released on bail yesterday on condition that he surrendered his passport and continued to live at his home or an address which he gives to the police and the court. Mr Badge extended legal aid for Mr Serafinowicz to cover the Crown Court proceedings.

Rabbits shun love in a cold climate

BY ROBIN YOUNG



Cocker: stage protest

RABBITS are no longer breeding like rabbits. Pet shops have found that supplies are at an all-time low, and say an alarming loss of fecundity is to blame. Even Harrods is down to its last three rabbits, at £16 each, and does not know when it will be getting any more.

Liz Griffiths, spokeswoman for Pet City, which has 39 pet superstores, said yesterday: "Over the past month supplies from breeders have slowed right down. We have no idea why, but it may be that cold weather has been putting them off. The problem seems worst in Scotland, where it is colder. The other suggestion is that people may have been eating rabbits instead of beef, but now they have become much too pricey for that."

Ms Griffiths added that the chain was appealing for breeders with spare animals to contact stores. "We usually have lop-eared rabbits, Netherland dwarfs, Dutch chinchillas and angoras, but there is a shortage of all of them," she said.

Fiona Cumming, rabbit buyer at Pet City in Renfrew, Strathclyde, said: "I only have English lops, and two chinchilla crosses, but I may have 20 Netherland dwarfs on Wednesday at £19.99 each. They are expensive because they are difficult to find."

At the firm's store in East Kilbride, Gail Pollock said: "We had quite a lot of rabbits till Easter, but then our supplies ran out. We would buy any number we were offered at the moment."

In Redhill, Surrey, livestock manager Wendy Jennings said: "I have ten two-toned harlequins at £17.99 each, which I was really lucky to find, and one Delenore, which looks a bit like a hare, at £16.99. I do not know when we will be getting any more."

In Harrods pet shop an assistant said: "Everyone seemed to go on a rabbit binge over Easter, but we have had very few rabbits since. We need someone to tell them to get on with it."

Watchdog verdict on 'Christ-like' Jackson

BY JOANNA BALE

THE pop star Michael Jackson's Christ-like pose in a performance at the Brit awards was "open to misinterpretation", the Independent Television Commission said yesterday.

Seven viewers complained to the commission about "offensive religious overtones" as Jackson stretched out his arms and was embraced by actors during a performance of his *Earth Song* at the pop industry awards, screened by ITV in February. The complaints echoed those of Jarvis Cocker, of the band Pulp, who protested at Jackson's performance by running on to the stage. However, the commission did not uphold the complaints because it did not consider that any code on religious offence had been breached.

"My actions were a protest at the way Michael Jackson sees himself as a Christ-like figure with the power of healing. I found it extremely distasteful."

However, the commission's report said "it was also possible to argue on the basis of the words of the song and the choreography that Jackson was attempting to portray himself as a messenger on behalf of disadvantaged people and environmental causes".

Robin Melzer, spokesman for Jackson's British fan club, said Jackson had always said that the song was about the "plight of the planet".

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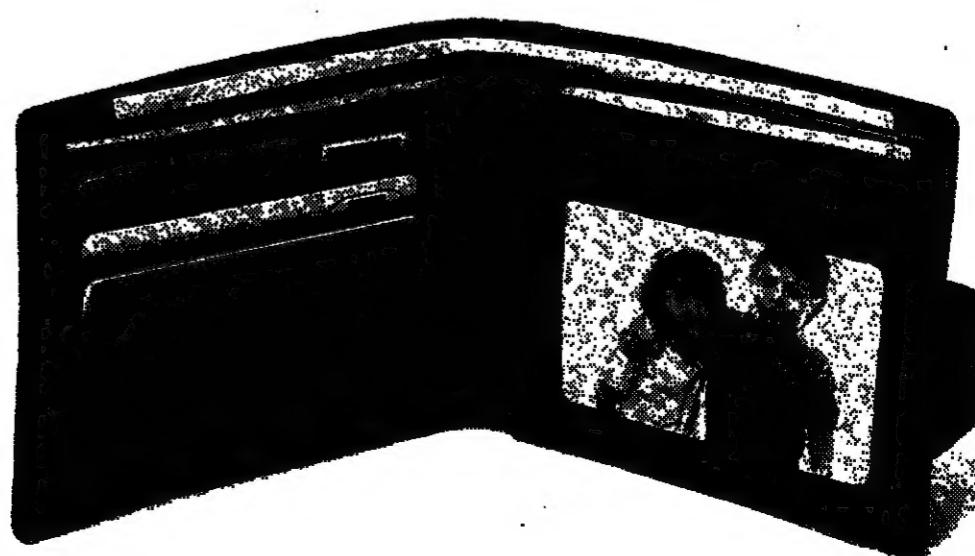
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MPs deny defection rumours but tell Major to watch his step or risk disaster

Centre-left Tories warn against lurch to the right

By PHILIP WEBSTER, POLITICAL EDITOR

CENTRE-LEFT Tory MPs warned John Major yesterday that any attempt to shift the party to the right in response to its continuing run of poll setbacks would end in disaster.

A handful of senior backbenchers named as potential new defectors since last week's humiliation in the Staffordshire South East by-election denied that they had any intention of leaving the party. But they did so in terms clearly intended to show Mr Major that they were not prepared to go along with radical right-wing measures as a desperate last throw to avert a general election defeat. Andrew Rowe, MP for Mid Kent, who has often been mentioned as a possible defector, said that he would not leave and had never had any intention of doing so. But he said that the Tory party would "go over the cliff" if it did not come back to the centre

ground. He then launched a ferocious attack on the Right.

"A number of young ideologues, who have little experience of real life, are talking the kind of rhetoric which means the public believe we are moving to the right. All it's doing is diminishing the effect of what we have succeeded in doing so far. They are prancing about talking right-wing rubbish in terms which make the ordinary public think we have left the centre ground."

Tory MPs will reassess the latest poll blow when they return to Westminster today after the Easter recess. Labour is hoping that tomorrow's debate on rail privatisation might provoke further unrest.

As Labour appealed to wavering Tories to change parties, another MP who has been regularly named as a potential Labour recruit, Peter Temple-Morris, declared: "I am Conservative and I will remain a Conservative." He

and other alleged potential defectors were portrayed "like some sort of rogues' gallery that gets stuck up in a Wild West sheriff's office". He said: "We are not going to defect. As far as I know there will be no more defections this side of the election. And we had all better get on with the job of winning it."

However, he warned the party that if it adopted a right-wing tax-cutting agenda it would lose the election. Centre-left Tories accepted the need for unity but were "frustrated" by calls from the Right — notably from the former leadership challenger John Redwood — that the Government was not cutting taxes enough and was too pro-European.

Mr Temple-Morris said that Tony Blair was winning the battle to claim the centre ground. "We have given him the possibility of claiming it. It's absolutely heaven sent that



Hugh Dykes, left, Peter Temple-Morris and Andrew Rowe: all three rule out any possibility of defecting, but warn the Tory party against adopting right-wing measures in a desperate attempt to remain in government

every time he wins, basically on the centre ground and by claiming it very strongly, we get more calls to leave the centre ground as Conservatives and go to the right and do tax-cutting policies, for example, which would lose us the next election without a shadow of doubt."

Hugh Dykes, the strongly

pro-European MP for Harrow East, also dismissed rumours that he would defect, saying: "I've said about four million times I'm a lifelong Conservative." But he emphasised that moderate policies were the "essential task" for the Government.

The danger lies in being tempted down these silly

right-wing paths by the wrong forces in our party who are intent on bringing the Conservative Party down into a crashing defeat if we're not careful," he said.

Earlier Donald Dewar, Labour's chief whip, tried to capitalise on the Government's discomfort. Claiming that Conservative MPs must

now recognise that Labour's by-election win last week was "the end of the road for them", he called on them to switch sides. "Today I am appealing to Tory MPs with a conscience to leave the Government benches and join the opposition to a Government which has totally lost its way."

Talk of changing parties is more froth than substance

Nobody who has ambitions for a lasting political career is likely to defect from the Tories to Labour. That is why so few have shifted between the main parties over the years. Consequently, much of the current speculation about which of a familiar list of disillusioned left-wing Tory MPs might jump ship misses the point. Of course, many Tory MPs are unhappy about the state of their party and its drift in a Eurosceptic direction. But disengagement about policy is not usually enough for MPs to change party.

The critical ingredient is personal frustration. I talked to both Alan Howarth and Emma Nicholson within a day of their defections. A

common thread was that no one at the top of the Tory party was listening to their complaints (a point strongly disputed by senior ministers in the case of Miss Nicholson). Hence they felt ignored and increasingly detached from the Tory party nationally. This mattered more than the positive attractions of their new party. Indeed, both moved without having secured any assurances about their future political prospects or seats. Both said they would not be standing again in their existing constituencies.

Alan Howarth has not so far been received in another constituency. Suggestions that he might be picked in the ultra-safe Labour seat of Wentworth have produced

strong local opposition. He may have to be imposed at the last minute by the national leadership if he is to get a Labour seat. Most defectors from the main parties have become independents or joined smaller groups and faced defeat at the subsequent general election. All but four of the 30 defectors to the SDP in 1981-82 were defeated at the 1983 election.

The few defectors to the Tories have generally done better. Reg Prentice, a Labour minister in 1974-76, left the party in October 1977 after a bitter fight in his

constituency. He then joined the Tories and was picked for the safe Tory seat of Daventry for the 1979 election before then serving as a minister of state. John Horam, a former junior Labour minister, was one of the original defectors from Labour to the SDP. He lost his seat in 1983, joined the Tories a few years later, and, after some false starts, got picked for Orpington before the 1992 election, becoming a minister again last year.

In America, two senators and over half a dozen congressmen, as well as dozens of local legislators, have shifted over the past year and a half from the Democrats to the Republicans, particularly in the south. But they have not always proved popular with their new

parties. A week ago, Greg Laughlin, a party switcher last year, lost in the Republican primary to a hardline conservative despite the backing of the party establishment. Although Mr Laughlin had been a controversial figure anyway, his defeat was seen as a cautionary tale for others thinking of changing party. As in the Wentworth case in Britain, ordinary members of the new party regard defectors with much more suspicion than the national leaderships. They often regard them as much as turncoats as members of their former party.

The uncertain political prospects of defectors are a big disincentive to high-profile MPs with further political ambitions. If only for

notoriety. Hence the most likely defectors are disillusioned and personally frustrated mavericks, or those who have already announced their intention to leave the Commons at the next election. Any defectors may be as likely to follow the path of Peter Thurnham and resign the whip to become independent as to join Labour or the Liberal Democrats.

So while there is more froth than substance in the current talk, there are probably at least a few Tory MPs considering resigning the Tory whip. After the dramas of the announcements last October and January, the Tory whips are taking no chances.

PETER RIDDELL

Goldsmith demands political broadcasts

By ANDREW PIERCE
POLITICAL CORRESPONDENT

THE Referendum Party has consulted lawyers in the hope of overturning a rule change that could deny it a political broadcast during the general election campaign.

In the past any party fielding at least 50 candidates has been entitled to at least one five-minute broadcast. But broadcasters and the main three political parties have agreed to tighten the rules, introducing a requirement for "proven electoral support".

Sir James Goldsmith's party, which announced on Sunday that it would fight 600 constituencies, cannot meet the new criteria as its first electoral test will be the general election. A party spokesman said that it was seeking legal guidance on the validity of the decision, which was taken by the Committee on Party Broadcasting. The committee has not held a meeting for more than 10 years and reaches a consensus by taking soundings of its members.

The Referendum Party spokesman said: "We are confident that the political parties will not wish to create a closed shop for certain politicians. I am sure they will wish to see a full and open debate." Eurosceptic Tory MPs plan to raise the exclusion order in the Commons.

Sir James, a billionaire financier who has moved his base from France to London, is a victim of the rapid growth of fringe parties rather than a political conspiracy. At the last general election the Natural Law Party's broadcast featured yodic flying. The prospect of the Official Bunny News Party, which fought last week's by-election, securing the rights to a broadcast by virtue of having 50 candidates has further hardened opinion.

A member of the committee said: "We have to draw the line somewhere. We will consider the Referendum Party's position, but you can't please all the people all the time."

Leading article, page 17

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AN OPEN LETTER TO THE CHIEF EXECUTIVES AND FINANCIAL DIRECTORS OF THE TIMES TOP 1000 COMPANIES, FROM DR PETER HORNE, PRESIDENT OF MITSUBISHI ELECTRIC PC DIVISION.



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Heralds charge after Cornishmen take up arms

BY ALAN HAMILTON



The design that could cost St Just £5,550

THE tiny Cornish town of St Just, the most westerly in Britain, thought it would award itself a small flourish of civic pride by having its own heraldic emblem. just like big towns do.

But it reckoned without the College of Arms, an obscure 16th-century law, the arcane rules of heraldry and a request for a fee of £5,550. It never occurred to St Just that the crest it commissioned was not a crest at all, but a coat of arms. And knocking up a coat of arms is not a thing you can do willy-nilly without attracting the beady eye of the heraldic police.

Councillors at St Just last year paid a local artist to produce a heraldic design featuring such

appropriate Cornish symbols as a lighthouse, tin miners' hammers, a bushel of wheat and a fish, topped off with a chough, the symbol of Cornwall. Word of the "crest" reached the College of Arms. It has told the council to remove the offending device from the town hall, road signs and notepaper until it pays the hefty fee to have it approved and registered.

Roy Lee, Mayor of St Just and a local hotelier, said yesterday: "We have no wish to break the law or offend the heralds, but we shall continue to use the crest until someone explains to us exactly why it is illegal."

The town, Mr Lee said, could not afford the college's fee. "We have written to them pointing out that this is a depressed area of high



unemployment and the council's total budget is only £15,000 a year. We asked Garter King-of-Arms what advice he could give us and he sent a letter back saying it was definitely going to cost us £5,550 and saying he could not offer any advice."

Local authorities all over the

country had their own symbols and they did not have to pay the College of Arms, Mr Lee said. Virtually every school had a badge, but they were not being chased. "We are still confused about which law we are supposed to have broken. However, as a public body we must act responsibly; if it turns out we have broken the law, we will have to change our emblem."

The College of Arms remains adamant that St Just is using more than a mere badge, emblem or logo. Timothy Duke, Chester Herald at the College of Arms, said: "There is no doubt that what we are dealing with here is a coat of arms; there is a shield above which is a helmet with a crest above that. Quite simply, if it looks like a coat of arms then it is one; that is common

sense." Mr Duke said the college had a legal duty dating back to its Royal Charter of 1555 to monitor coats of arms to ensure that no two were the same. "St Just cannot simply assume a set of arms of their own devising."

If the dispute cannot be resolved amicably, St Just's 12 councillors could find themselves before a rare Court of Chivalry, which has not been convened since 1952 when the Palace of Varieties Theatre, Manchester, was successfully sued over its coat of arms.

In St Just yesterday, the mayor admitted that one of his road signs bearing the device had been vandalised. "I suspect that a knight on a white charger came by at dead of night and stuck his lance through it," Mr Lee said.

Scriptis was the first Westerker in Singapore to be sentenced to hang for murder. He has decided not to appeal and not to seek a pardon. The Foreign Office said Scriptis's family had made no request for the Government to intervene.

Flanker banned

The England rugby player Lawrence Dallaglio was banned from driving for six months for speeding at 105mph. The Wasps flanker, 23, who had a previous speeding conviction, admitted the offence. He was fined £140.

Rapist sentenced

A bogus immigration lawyer was jailed for eight years at the Old Bailey for attacking a string of women seeking advice. One was raped. John Bullied, 50, of west London, had been held in a psychiatric hospital for rape in the 1970s.

United 1, crooks 0

Four masked men smashed through the glass front of a Manchester United stadium office to steal 170 tickets, worth £5,500, for the FA Cup Final against Liverpool. The ticket numbers will now be treated as invalid.

More TV licences

Sales of television licences have risen to a record 21 million, mainly because of alternative payment methods, including direct debit and monthly instalments. On April 1 a colour television licence rose £3 to £99.50.

Karate PC jailed

A Grampian police constable was jailed for three months at Aberdeen Sheriff Court for a "totally unprovoked" karate attack on a teenager who was being held in custody. PC Colin Leask, 29, was released on bail pending appeal.

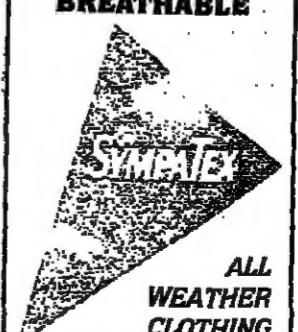
Russians on run

Two young Russian soldiers who fled the war in Chechnya and ended up in Ireland last Friday were on the run again. They failed to arrive back at the Galway bed-and-breakfast which the local Red Cross had sent them to.

Record vintage

A dozen bottles of Chateau Mouton Rothschild 1945 fetched £74,503 at Christie's in New York - a record for a case of wine. The claret had been kept undisturbed in a temperature and humidity-controlled private cellar.

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Execution date is set for British murderer

Defiant Hezbollah mounts new attacks as Israeli warplanes raid deserted Tyre

Lebanon begs for world's help to feed refugees

FROM MICHAEL THEODOULOU IN BEIRUT

LEBANON, struggling to cope with the refugee crisis, extended Easter school holidays yesterday, threw open classrooms to shelter several hundred thousand impoverished people fleeing an Israeli free-fire zone in the south, and besieged the world to send humanitarian aid.

A defiant Hezbollah continued to lob Katyusha rockets into northern Israel and said it would launch terrorist strikes at Israeli targets throughout the world with its "human bomb battalions".

"Tell the world we need food, blankets, money. What is happening here is a real crime against humanity," said Dr Hassan Youssef, responsible for managing the refugee crisis in Sidon, a coastal city in southern Lebanon which was inundated with homeless and hungry people. Sidon, too, felt insecure, with Israeli gunboats visible from the shore.

Many refugees had arrived from Tyre, a ghost city after Israel ordered out its 200,000 inhabitants on Sunday. Until that ultimatum, Tyre's own population had been swollen by refugees from other south-



ern towns and villages. Only the elderly, or those who defiantly refused to flee their homes at Israel's behest, remained in Tyre, with about 300 seeking refuge with the United Nations, whose troops had been sharing their rations with the homeless.

Tyre came under ferocious air bombardment yesterday soon after the Israeli deadline expired. Earlier, Israeli warplanes buzzed the ancient port city when Nabil Berri, Lebanon's parliamentary Speaker

and a prominent Shia leader, risked the perilous road south to offer his support to people still in Tyre.

Elsewhere across southern Lebanon, 6,000 terrified refugees short of food and medicine sought the protection of the UN peacekeeping force as Israel and Hezbollah exchanged fire and threats over their heads.

France sent an aircraft with humanitarian aid and a similar mercy flight was expected from Kuwait.

Children due to return to class today were given another week off so that schools could shelter more than 400,000 homeless. Hastily cleared classrooms overflowed with grubby-faced children, many of them barefoot and munching pieces of flat dry bread.

Teams of Hezbollah welfare workers stopped motorists at main road junctions in Beirut to collect money for the refugees. More than 20 people were jammed into a battered red pick-up truck that pulled up outside one school in Beirut's southern suburbs, an area many refugees feared was unsafe after Israeli raids targeted suspected Hezbollah positions there on Sunday.

"We do not have any relations to stay with," said Majid, 30, a farm labourer and father of four. His brother, Ahmad, 38, a father of seven who worked for the UN force in southern Lebanon, said: "We did not want to put ourselves in the UN's hands. It is not safe. Israel does not give a damn about the United Nations or anyone else."

Jerusalem: Israel agreed yesterday to let Nafeh Hawatreh, the Democratic Front for the Liberation of Palestine guerrilla leader, return to the Palestinian-ruled areas. Palestinian and Israeli officials said he is to attend a meeting of the Palestinian parliament-in-exile to remove clauses from the 1964 PLO charter calling for Israel's destruction. (Reuters)

EXPATRIATES

ish archaeologists cancelled work in central Beirut after being pinned down on site by Israeli air raids on Sunday. Catherine Cavanagh, 25, said: "It's ridiculous of the Israelis to attack Beirut. It's so inflammatory. They don't seem to care about peace with Syria."

Most Britons in Lebanon are business people and developers involved in Beirut's ambitious reconstruction programmes. Some are now concerned that their contracts may be jeopardised by the instability.

Britons stockpile petrol and water

Beirut: British expatriates in Lebanon yesterday stockpiled food, petrol and water, and ordered their children to stay indoors (Michael Theodoulou writes).

"We learnt not to go out unless it's absolutely necessary. Water is the most important thing, and having cans of food in the house," said Phillipa Mishlawi, originally from Surrey, who has lived in Beirut since 1976, and was evacuated twice during the 15-year civil war. "We have a system of phoning each other to check up. The newer arrivals are pretty nervous."

Meanwhile, a team of Brit-

ish archaeologists cancelled work in central Beirut after being pinned down on site by Israeli air raids on Sunday. Catherine Cavanagh, 25, said: "It's ridiculous of the Israelis to attack Beirut. It's so inflammatory. They don't seem to care about peace with Syria."

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Bomb warning disrupts Tutu hearings

East London: South Africans were given notice yesterday of the painful process they face in confronting their troubled past when the opening hearing of the controversial Truth and Reconciliation Commission investigating crimes committed under apartheid was menaced by bomb scares (Inigo Gilmore writes).

Proceedings in this Eastern Cape city's Victorian city hall were briefly held up

after police and a newspaper received calls from a man claiming that bombs had been planted on the premises. Archbishop Desmond Tutu, the commission's chairman, interrupted the testimony of the widow of a murdered activist to order the evacuation of the hall while police with sniffer dogs searched the premises. He said solemnly: "It makes all of us aware that there are some people

who will stop at nothing to stop the commission from carrying out its work."

The call, however, proved to be a hoax. Earlier Archbishop Tutu welcomed the first seven witnesses, six black women who lost loved ones in police custody or at the hands of security forces or who had disappeared without trace. The seventh witness is a white man who lost an arm in a bomb attack by black extremists.

Fifteen die as soldier runs amok

Jakarta: An Indonesian army officer ran amok at a remote airport, shooting dead 15 people, including at least ten soldiers and a New Zealander. Local sources said the officer was suffering from depression after an aircraft carrying the bodies of two soldiers believed hacked to death by jungle rebels at the weekend made a refuelling stop. (Reuters)

Liberia barrage

Monrovia: Heavy arms fire resumed against a military base where gunmen loyal to Roosevelt Johnson, the Liberian warlord, have taken shelter with hundreds of "human shield" hostages. (AFP)

Burundi crisis

Bujumbura: Worsening violence in Burundi has forced almost 100,000 destitute people to flee their homes in the past two months, said Patrick Berner, the Red Cross representative. (AFP)

Arkansas storm

Slimmore: Seven people were killed and 30 injured when a tornado ripped roofs off houses, uprooted trees and destroyed a tourist campsite at this town 80 miles north of Little Rock, Arkansas. (AP)

Tall order

Budapest: American troops with Nato in Hungary have been asked for help by Budapest Zoo — to use their large military aircraft to transfer three young Zambian giraffes from Frankfurt. (Reuters)

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THE TIMES
Fodor's
TOKEN 3



Michael Portillo, Secretary of State for Defence, with Shimon Peres, the Israeli Prime Minister, during an official reception ceremony yesterday for the British visitor at Mr Peres's office in Jerusalem

Peres still needs goodwill of neighbouring powers

BY LAWRENCE FREEDMAN

COMMENTARY

Lebanese civilians to move north to help to reduce casualties but they also serve to create a refugee problem.

Mr Peres is gambling that the resultant crisis within Lebanon will lead to internal demands that Hezbollah be restrained. While the Lebanese Government may be correct in its claim that it lacks the clout to impose control, this is less true for its political overture in Syria.

Mr Peres can have some confidence when it comes to implementing this strategy. President Assad of Syria is anxious to avoid direct hostilities, while whatever the doubts of Western governments they will avoid severe criticism, lest they undermine the Labour Government before next month's election.

They accept that Israel has been provoked, and that if Mr Peres had not acted he would have lost ground to the more hawkish Likud Party.

The February suicide bombings have undermined confidence within Israel in the policy of dealing with more moderate Arab regimes to get their co-operation in suppressing radical groups. Here Syria represents a substantial disappointment, given the overtures made by Israel. Israel has indicated a readiness to hand back the Golan Heights and to remove its forces from the Lebanon's "security zone".

President Assad has seemed tempted to close on this bargain and has even begun to prepare his population for a deal. It is unclear whether his failure to reach an agreement

reflects the patience of a wily negotiator playing a long game or the paralysis of indecision.

The failure of inducements to bring peace does not mean that coercion will succeed. If, as Mr Peres has suggested, Iran is the promoter of the latest violence, can any strategy that does not hurt Tehran succeed? Moreover, restraints on Hezbollah may be short-lived. The "Party of God" shares with the Israeli Government a reluctance to allow its enemies the last word.

Even if the current exchanges cease, there are alternative forms of retaliation. Israel cannot contain and isolate its enemies by itself. It still needs to find more positive ways of co-operating with those with a real interest in peace.

Lawrence Freedman is Professor of War Studies at King's College London

Tehran 'paid cash reward to agent'

BY MICHAEL EVANS
DEFENCE CORRESPONDENT

A SENIOR figure in the Hamas terrorist organisation has been receiving financial backing from a member of the Iranian Embassy in Damascus, the Syrian capital, according to intelligence sources.

Interest is being focused on the activities of imam al-Alami, who is believed to have been given a cash bonus of about \$120,000

HAMAS

(\$80,000) after the success of Hamas suicide bomb missions in Israel.

Since the attacks, Western intelligence services have been trying to trace the network of organisations, particularly in Europe, which have been financing Hamas. A number of charity groups in Britain known to be raising funds for Palestinian organisations are being closely monitored.

However, the main focus of the intelligence service has been on the Iranian connection and any Syrian involvement in Hamas. There are also known to be strong links between Hamas and Hezbollah. This connection may be one of the reasons for Israel's action in Lebanon.

Mr al-Alami, who is aged 39 and married, trained as an engineer and lived for some time in Egypt. He is known to travel regularly between Tehran and Damascus. He is believed to be living in Damascus, where Hamas has a "one-man office", according to intelligence sources.

Iran has denied any involvement in the Hamas bombings. However, Mr al-Alami is suspected of being one of the key links between Hamas and Tehran and makes regular visits to the Iranian Embassy.

One intelligence source said Syria exerted "a lot of influence" on Hamas, although it fears getting too involved because of the possible political repercussions.

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Midwest 'revolutionary' awaits Dole call to arms

THE cheery and rotund John Engler arrived in his office at 9am in jeans, a blue-and-orange Detroit Tigers' windcheater and matching baseball cap. He certainly did not look like America's hottest Republican Governor, or the man widely tipped to be Bob Dole's running-mate, but he is both. He was, he explained, throwing the first pitch at the Tigers' season opener that afternoon.

The 47-year-old leader of Michigan is visiting Britain this month, but the questioning inevitably turned on his vice-presidential prospects, and he parried with all the mandatory disavowals. The job would be hard to refuse, he conceded, but he did not expect to be offered it. He had no plans to leave Michigan. He still believed Mr Dole would persuade Colin Powell to join his ticket because "when Bob Dole sets out to accomplish something, he does it".

Mr Engler was being disingenuous, of course. He would not only love the job, but has a powerful claim to it. He runs a key state in November's principal battleground — the industrial Midwest. He is a Roman Catholic and Catholics are a crucial constituency. Above all, he has transformed Michigan the way Republicans dream of transforming America and is a walking advertisement for Mr Dole's platform of devolving power to the states.

"Michigan is driving America's renaissance," boasted the Governor whom Newt Gingrich calls America's "leading revolutionary" and uses to inspire his battered troops in Congress. *New Yorker* magazine calls him "the epitome of Republican devolution chic".

The son of a Michigan cattle farmer, he joined the state legislature at 22, after deciding to implement an election plan he had devised merely as a college exercise. He rose through the ranks, and in 1990 narrowly defeated the incumbent Democrat Governor. He swiftly launched a drastic programme to revive a state burdened with dying industries, big unions, heavy taxes

The Governor being tipped as Bob Dole's running-mate tells Martin Fletcher how he has revived the fortunes of a state that was burdened with dying industries

and welfare liberalism. He slashed spending, shrank the bureaucracy and privatised services. He ended welfare for able-bodied adults without children, and ordered welfare recipients with families to do 20 hours' productive labour weekly or suffer benefit reductions. He introduced competition to Michigan's monolithic education system by letting parents, churches or other groups open publicly funded "charter schools".

He faced furious opposition. Protesters erected an "Englerville" shantytown in front of the state capitol. Democrats and the press called him heartless and his popularity rating sank to 19 per cent. But he forged on and began cutting taxes as the economy strengthened.

In 1994, with the campaign slogan "Tough enough to bring Michigan back", he increased his 17,000 majority to 700,000 — the second biggest in the state's history.



John Engler, the Governor of Michigan and "the epitome of Republican devolution chic"

various Conservative party officials. Critics claim he is also coming to bolster his international credentials.

Mr Engler is certainly an astute self-promoter, known in some quarters as "Engler the Angler". He is also visiting Canada and Germany this month. He appears frequently in Washington, on chatshows and at Republican gatherings around the country. His office pumps out lists of his achievements, and his irresistible triplets are not exactly shielded from the cameras.

This self-promotion could backfire and Mr Engler has other drawbacks as a running-mate. He is solid, not charismatic. He is a divorcee like Mr Dole — and Republicans are supposed to champion family values. He escaped service in Vietnam through overweight, making it hard for Mr Dole — a war hero — to exploit Mr Clinton's Vietnam draft avoidance.

That afternoon, Mr Engler's pitch before 40,000 spectators in Detroit reached the plate. Whether his pitch for a place on the Dole ticket is equally successful remains to be seen, but he has some powerful backers. Mr Gingrich supports him. So too do Religious Right leaders — including the Christian Coalition's Ralph Reed — who are determined to keep General Powell off the ticket and like Mr Engler's strong opposition to abortion. These people gave Mr Dole priceless support in the primaries and he owes them.

□ Inquiry "excesses": Kenneth Starr, the independent counsel on Whitewater, was reported yesterday to have questioned witnesses about extra-marital affairs Bill Clinton may have had before becoming President (Tom Rhodes writes).

In an article in the *New Yorker*, Whitewater investigators were said also to have subpoenaed the 16-year-old son of one of their targets at his high school. No details were given but the magazine said it was one of several accounts about perceived excesses and questioned Mr Starr's impartiality, as a Republican, over Whitewater.



Jemima Khan at Gatwick Airport before her departure for Lahore yesterday

Imran rejects Bhutto aid offer

BY ZAHID HUSSAIN
IN LAHORE AND
OUR FOREIGN STAFF

JEMIMA KHAN returned to Pakistan yesterday from Britain to be with her husband, Imran, after the bombing of his charity cancer hospital on Sunday which left six people dead and 25 wounded.

The Irb bomb devastated the outpatients department of the Shaukat Khanum Memo-

rial Cancer Hospital, named after the former cricket star's mother, who died of cancer. But neither the devastation nor security fears deterred doctors and nurses from returning to work yesterday; they set up a makeshift ward to attend to patients.

Benazir Bhutto, the Prime Minister, described the bombing as part of a plot to destabilise her Government. Mr Khan said he would not

allow such intimidatory bombing tactics to shatter his dream. An aspiring politician who is preparing to launch a political reform movement he rejected Ms Bhutto's offer of help to rebuild the hospital, saying that her administration had done everything to destroy it.

He said he was even more determined to launch his movement against what he called a corrupt government.

The Thakurs have sent a "widow's chariot" to Mirzapur, where Ms Devi is a candidate, to draw attention to her infamous deeds in the Chambal ravines, which her gang used as a hideaway. "Mirzapur could turn into Chambal," she tells the crowds, implying that violent retribution is at hand. She is not serious, but it plays well.

The widow's chariot carries 22 women who will tell their side of the Devi story in the backwaters of Mirzapur, where most of India's hand-knotted carpets are produced by low-caste workers in dark, unventilated mud huts. Many of the weavers are Untouchable children, some of them bonded labourers sold to local owners by their parents.

It is rumoured that loom owners have helped to finance Ms Devi's campaign to ensure that she does not draw attention to their rackets. Some of the hard-looking men who accompany her are said to be henchmen of a notorious carpet boss who uses money and muscle to circumvent child labour laws.

US agrees base cuts in Japan

BY ROBERT WHYMANT

JAPAN and America yesterday agreed on a 20 per cent reduction in US military bases in Okinawa. The move is intended to mollify opponents of the intrusive American military presence on the island.

The plan to close five major bases and scale down several others was announced by William Perry, the US Defence Secretary, and Yukihiro Ikeno, the Japanese Foreign Minister, after a meeting to smooth the way for tomorrow's Japanese-US summit. President Clinton is due to arrive in Tokyo today for a state visit, during which he will discuss with Ryutaro Hashimoto, the Japanese Prime Minister, the strengthening of the two countries' security relationship.

A special action committee has been looking at ways to reduce and consolidate US bases, which are concentrated on the southern island. Feelings have been running high since the rape of a girl, 12, last September by three American servicemen.

The committee's interim report released yesterday recommends the closure of the Futenma Marine Corps Air Station and the Isobe Navy Communication Centre, both the focus of angry protests.

China bans press from orphanages

FROM JONATHAN MIRSKY IN HONG KONG AND PETER CAPELLA IN GENEVA

CHINA, in retaliation for Western reports on lethal conditions in state orphanages, has banned foreign reporters from visiting orphanages, prisons, old people's homes, and mental hospitals.

According to a report in the *Sing Tao Daily News*, a Hong Kong newspaper, an official circular stated that only mainland and sympathetic Hong Kong papers could report on such institutions — after indicating to local propaganda departments that the reports "will have a positive angle".

The Peking authorities expressed outrage in January when a Channel 4 film, Early this month, the State

Council issued a 15,000-word White Paper praising China's childcare and characterising the allegations as fabrications. It admitted that because of national poverty some institutions could not supply the best care, but emphasised that "China has made gigantic efforts in the survival, protection, and development of 300 million children aged below 16". The death rate among children was falling rapidly, the White Paper said.

The film used secretly taken footage in number of orphanages and included an interview with a doctor who was a source for the Human Rights Watch report.

But the Human Rights Watch report alleged that as false, the doctor a liar, and the statistics as invented.

Early this month, the State

some much poorer institutions. Peking has not refuted this aspect of the report.

Foreign donors to some orphanages reported that, because of the film and the report, China was restricting foreign charitable work in orphanages.

One representative of a major charity — who had publicly deplored the film and the report as biased and unhelpful — admitted privately that he had long known of the excessive deaths. He said: "You can imagine how I felt. Every time I went up there with a cheque, I knew that I was shaking hands with killers."

The Cook County Sheriff's

America on alert for terror anniversary

FROM TOM RHODES IN WASHINGTON

AMERICA enters a state of alert this week with the first anniversary of the Oklahoma City bombing, the terrorist act that left 168 dead and hundreds injured.

The combination of Oklahoma and the siege at Waco exactly two years before has left security services only too aware of the significance of this Friday, April 19. In Ohio, police chiefs and sheriffs have been told to "exercise all due caution" because terrorists placed much emphasis on the anniversary of Waco.

The Cook County Sheriff's

office in Chicago is employing its dog unit to search all criminal and civil court buildings that day. In Nebraska, extra officers will patrol government buildings and in Oklahoma itself many of those living near the site that once housed the devastated federal building have said they will be out of town.

Law enforcement agencies are openly acknowledging the various procedures they are taking to avoid any possible recurrence of the bombing. Security will be increased at federal buildings.

Japan finds something fishy in Prince's Bangkok research

FROM ROBERT WHYMANT
IN TOKYO

THE refusal of a Japanese prince to attend tomorrow's banquet at the Imperial Palace for President and Hillary Clinton has prompted an unprecedented magazine article hinting at an extra-marital romance.

Prince Akishino, 30, younger son of Emperor Akihito, is due to fly to Bangkok tomorrow, ostensibly to study catfish, his field of expertise. His wife, Princess Kiko, will attend the banquet hosted by the Emperor and his consort. The event will also be attended by Crown Prince Naruhito and his wife, Princess Masako.

Japanese citizens were surprised to learn that Prince Akishino, second in line to the throne, is to be away on the day the Clintons come to dinner. But alone among the media, *Shukan Shincho*, a widely read magazine, comments this week on his odd priorities. Even more remarkable is that the magazine hints that his reason for visiting Thailand is not limited to ichthyology.

Breaking a taboo against negative coverage of the Japanese monarchy, it reports what it artfully calls a "wild rumour" — that his real mission is to hold discussions with a young Thai woman, also a catfish researcher. The article quotes an unnamed

business executive, who is close to Emperor Akihito, as saying that the Prince's trip to Thailand — his third in six months — is "deplorable" and ignores the feelings of the monarch.

The woman has been only identified as the daughter of a well-to-do family. She works in Thailand's Institute for Catfish Research.

Unusual," said Hideaki Kase, an author and expert on the monarchy. "I wonder if it is a harbinger of free coverage of the palace."

The style of the story has undertones of *Private Eye*. The article cautions: "The repeated visits to Thailand may be due to the close relationship between the Imperial Family and the Thai Royal Family, and the Prince's enthusiasm for catfish study. But his solo journey at this time, sacrificing his official duties, appears to have cause for conjecture among people close to His Highness, such as that he may be going to Thailand to meet a Thai woman he has known from before

his marriage. Yet, free spirit though His Highness is, such talk about a 'romance' is hard to believe."

The Imperial Household Agency, the palace bureaucracy, has refused to comment. But a palace source said the behaviour of the Prince, married six years, is "causing a problem".

It is widely accepted that *Shukan Shincho*, a middlebrow publication with 600,000 readers, would not dare run the story if it were not based on fact. Mr Kase said: "Let us hope members of our Imperial Family are not following the example of your British royal family."

Leading article, page 17



Akishino: hint of an affair

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THE TIMES TUESDAY APRIL 16 1996

Low-caste Indians give glory to Bandit Queen

FROM CHRISTOPHER THOMAS
IN LUCKNOW

PHOOLAN DEVI, the Bandit Queen, is stirring up caste conflicts and awakening old blood feuds in India's explosive Hindi heartland in her attempt to win election to parliament this month.

"I looted those who looted me," she tells cheering Untouchables and low-castes. "I am with you, I am one of you. They adore her.

Ms Devi, who is said to have slaughtered 22 high-caste Thakurs a decade ago after being gang-raped, is trying to exploit the breakdown of caste conventions that have defined Indian culture for 5,000 years. Low-castes in the teeming northern plains, no longer compliant to their caste overlords, will determine the outcome of India's general election by the unaccustomed exercise of their free will.

Northern India is following the south in rejecting high-caste and Brahminical power, which traditionally dominate politics, bureaucracy, the armed forces, the judiciary, academia and the media. The governing Congress Party, led by P. V. Narasimha Rao, the Brahmin Prime Minister, is resigned to being crushed in Uttar Pradesh and Bihar, the huge northern states with nearly a quarter of seats in the Lok Sabha (lower House).

The old Congress Party formula is dead: Muslims, Brahmins and Untouchables united behind it for nearly half a century, but they are all scattering. Ms Devi is a product of the process. She is both revered and hated in the crowded towns and villages across the northern plains, symbolising the polarisation of caste and the potential for social revolution, which India has never had.

The Thakurs have sent a "widow's chariot" to Mirzapur, where Ms Devi is a candidate, to draw attention to her infamous deeds in the Chambal ravines, which her gang used as a hideaway. "Mirzapur could turn into Chambal," she tells the crowds, implying that violent retribution is at hand. She is not serious, but it plays well.

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ARTS 33-35

Riccardo Muti finally beats a path back to London



LAW 37-39

Who should hold the fate of children who kill?



SPORT 43-48

Masterly Faldo takes credit for a job well done

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THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY APRIL 16 1996

Sweb sale signals US bid for South West Water

By CHRISTINE BUCKLEY

THE first American utility looked likely last night to pounce on South West Water, a move that would give Southern Inc, based in Atlanta, a dominant role in all essential services provided to southwest England.

Southern, which bought South West Electricity (Sweb) last year, last night signalled a fast move on a water company when it detailed the sale of up to half its stake in Sweb.

Bill Dahlberg, chairman and president of Southern, told the BBC's *Financial World Tonight*: "I see an opportunity pretty quickly to buy a water company outside the US."

Southern is pushing ahead with the sale of up to 49 per cent of Sweb which it bought for £1.1 billion. Mr Dahlberg said: "We have talked to some of the potential purchasers. We have received a good expression of interest and I would think that we would close one of those sometime in the next 60 days or so." The sale of a large minority interest in Sweb,

which has a substantial gas division, would not only release cash to help to fund the purchase of a company such as South West but would also satisfy US regulatory authorities which demand that only a certain percentage of a company's capital is invested overseas.

If Southern is quick enough it will be able to pull the rug from under the feet of Wesser Water and Severn Trent which have both bid for South West Water. Their approaches are now with the Monopolies and Mergers Commission, referred

automatically under the Water Industry Act which requires referral on water-to-water mergers in which the bidder is a UK company with assets worth more than £30 million.

Such rigours do not apply to foreign companies. A spokeswoman for Ofwat, the water regulator's office, said: "Theoretically a foreign company can come in and supersede bids from UK companies. The decision would rest with the shareholders and there would be no need for an MMC investigation."

Inquiries by the MMC on the

South West approaches are likely to last until late autumn. Mr Dahlberg was reluctant last night to identify South West Water directly, saying: "The UK is an attractive country and if we found other investments there we are certainly willing to explore them."

However, industry experts believe the timing and fit of a move on South West makes persuasive logic. Nigel Hawkins, utilities analyst with Yamaichi, said: "Southern taking South West would make a much better fit than Severn Trent

and arguably Wessex too." Southern, through Sweb, would benefit from strong savings by operating all essential services in the South West. It could scoop millions from amalgamating dealings with electricity, gas and water customers and consolidate a role as a multi-utility as free competition in the domestic market looms.

Swebgas — heavily criticised for its marketing activities — is about to provide gas to households at the end of this month when the South West is opened to domestic competition.

BUSINESS TODAY

STOCK MARKET INDICES

FTSE 100	5790.5	(+23.7)
Yield 100	3.73%	
FTSE All share	1882.04	(+0.81)
Nikkei 225	21823.04	(+22.57)
New York		
Dow Jones	5560.77	(+28.18)*
S&P Composite	636.97	(+3.26)*

US RATE

Federal Funds	5.125%	(5.125%)
Long Bond	8.85%	(8.85%)
Yield	8.82%	(8.82%)

LONDON MONEY

3-month Interbank	5.75%	(5.75%)
Long-term gilt future (Jun)	10.8%	(10.8%)

STERLING

New York	1.5080	(1.5141)
London	1.5025	(1.5125)
S	1.5075	(1.5175)
DM	2.2765	(2.2750)
FF	7.7275	(7.7250)
JPY	105.50	(105.50)
Yen	163.40	(164.25)
E. Index	82.8	(83.8)

\$55 DOLLAR

London	1.5080*	(1.5048)
DM	5.1250*	(5.1080)
FF	12.2725	(12.2775)
JPY	105.50*	(106.50)
Yen	163.40	(164.25)
S index	82.8	(83.8)

YEN 108.55

London	1.5080*	(1.5141)
DM	5.1250*	(5.1080)
FF	12.2725	(12.2775)
JPY	105.50*	(106.50)
Yen	163.40	(164.25)
S index	82.8	(83.8)

MONTH END CLOSING

Brent 10-day (Jun)	520.10	(518.95)
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GOING

London close	532.85	(532.45)
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* denotes midday trading price

State to sell entire stake in Railtrack

By JONATHAN PRYNN, TRANSPORT CORRESPONDENT

THE Government is to sell its entire holding in Railtrack when the company is floated on the stock market on May 20, raising £1.8 billion in the biggest single company disposal under rail privatisation.

The announcement from Sir George Young, the Transport Secretary, which came as he issued the pathfinder prospectus for the flotation, removed any remaining doubt that the Government would retain a controlling interest.

It has previously only committed itself to floating "not less than 51 per cent" of the shares, raising hopes among opponents of privatisation that the Government would retain a controlling interest.

Sir George said: "We decided to sell 100 per cent because we believe Railtrack's

SHARES on the London stock market climbed to their highest levels ever after more evidence that inflationary pressures are receding. The FTSE 100 index closed 23.7 up at 3,790.5. Friday's rise on Wall Street and the March producer price figures cheered investors.

Stock market, page 28

future lies firmly in the private sector and there's no need for the Government to hang on to a residual shareholding."

The decision was welcomed by Bob Horton, the chairman of Railtrack, who said the privatisation "will give Great Britain not only an efficient railway service, but also a more profitable one". Sir George said 900,000

people had registered for the sale so far, indicating "a significant interest".

At least 30 per cent of the shares have been allocated for small investors, although this can be raised in the event of very heavy demand, with the rest going to UK and international institutions.

Payment will be in two tranches, with a first instalment of 190p a share and a minimum up-front investment of £380. Small shareholders will receive a discount of about 6 per cent compared with institutions.

Shareholders on the register in September will receive a total of £69 million in dividends, bumping up the first-year yield on the party paid shares to close to 20 per cent.

The payment of the second instalment, when a further 15p discount or 1-for-15 bonus share issue is on offer to shareholders, must be made on June 3 next year.

Opponents of the sale criticised the package of sweeteners. Brian Wilson, Labour rail spokesman, said: "This is just recycled taxpayers' money, and while £70 million won't go far among shareholders, it would have been a useful sum for rail investment."

Labour is to force what is expected to be a close vote in the Commons on the sell-off on Wednesday. Clare Short, Shadow Transport Secretary, called on Ulster Unionist and Tory MPs who are unsure about the privatisation to join Labour in a last-ditch bid to halt the sale. She said it would be "irresponsible" for Labour simply to threaten potential investors with taking back Railtrack if it won power.

Analysts said the flotation had to be a give-away to attract investors worried about the political risk to the shares from Labour and said most would sell their holdings after the autumn dividend.

The pathfinder prospectus shows Railtrack made pre-tax profits of £272 million in the year to March 1996, up from £189 million in the previous year. The company has set aside £70 million to cover environmental and pollution liabilities inherited from BR. It enters the private sector with £88 million of debt, giving gearing of 24 per cent since December 1994.

The Office for National Statistics reported that manufacturers' output prices rose 0.2 per cent last month, taking the annual rate of increase down to 3.4 per cent from 3.7 per cent in February, the lowest annual rate since December 1994.

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Building industry set to lose 20,000 jobs

By PHILIP BASSETT, INDUSTRIAL EDITOR

BRITAIN'S construction industry is preparing to lose 20,000 jobs this year, its leaders said yesterday, adding that the sector still remained "seriously depressed".

Though some evidence was slightly more optimistic, the building industry's main representative body said there were no real signs of any sustained recovery in prospect for the sector.

The Building Employers' Confederation gave warning that the industry is likely to lose a further 20,000 jobs this year as construction companies continue to shed labour, taking the total number of building jobs lost over the past six years to more than half a million. The Building Employers' Confederation said it expected building output to fall 1 per cent this year.

Wales, the Midlands, London and the South West

are expected to be the regions worst affected by job losses, while the North, North West, Yorkshire and the South expect employment to increase in the next quarter, according to the confederation's survey of a sample of 600 firms.

Paul Shepherd, BEC chairman, said the construction industry remained in a "seriously depressed" state. Underlying construction demand remained weak and there were no real signs of sustained recovery in prospect.

Mr Shepherd said: "I would have expected that by now the improvement shown in government new orders statistics would be reflected in more optimism among our members about future trading prospects, but this is simply not happening."

Output deteriorated in every sector of the industry and the total number of new inquiries declined for the fourth successive quarter.

But a separate survey said there were signs of "green shoots" of recovery this year, especially in the private sector. The Building Material Producers said the private sector should provide additional workloads for construction companies during the next three years.

Anthony Hopkins, chairman of the Building Material Producers' forecasting panel and managing director of Tarmac's building division, said: "Confidence is just showing signs of beginning to come back in the housing market."

"Continued downward trends in mortgage interest rates, a slight escalation in house prices and reductions in the number of people in negative equity are all good news. We would like the Government to foster the green shoots that we can now see."

Notes for small denomination bank notes only as supplied by Barclays Bank PLC. Current rates apply to travellers' cheques. Rates as at close of trading yesterday.

TOURIST RATES

	Bank Buys	Bank Sales
Australia \$	2.00	1.84
Austria Sch	17.04	15.54
Belgium Fr	49.80	45.90
Canada \$	2.10	1.92
Cyprus Cyp	0.750	0.686
Denmark Kr	9.41	8.61
Finland Mark	7.89	7.04
France Fr	8.14	7.44
Germany DM	2.43	2.22
Greece Dr	387.00	382.00
Hong Kong \$	12.31	11.31
Iceland Kr	1.02	0.94
Israel Shek	5,190	4,500
Italy Lira	2477.00	2322.00
Japan Yen	178.10	162.10
Malta L	1.00	0.88
Netherlands Gld	2,700	2,470
New Zealand \$	2.37	2.15
Norway Kr	10.43	9.00
Portugal Esc	24.80	22.00
Spain Pta	6.80	6.00
Spain Pta	167.50	154.50
Sweden Kr	10.78	9.50
Turkey Lira	1.99	1.81
USA \$	11,465.00	10,850.00
	1,608	1,478

Notes for small denomination bank notes only as supplied by Barclays Bank PLC. Current rates apply to travellers' cheques. Rates as at close of trading yesterday.



David Michels, chief executive, has seen Stakis recover when the chips were down

Improving hotels lead the way for Stakis

By PAUL DURMAN

STAKIS, the hotel and casinos group, yesterday reported good progress on all fronts in its hotels arm.

Occupancy rates, average room rates and the yield per available room all showed positive increases in quarterly figures to the end of March.

The results from the Stakis casinos were more mixed, with the average spend falling from £135 to £132 and customer's winnings rising marginally. However, casino attendances were up from 473,000 to 531,000, while the amount of money converted into gambling chips rose from £64 million to £70 million.

Neil Chisman, finance director, suggested the National Lottery may be partly to blame for the reduced spend.

Stakis, which has recovered strongly under David Michels, chief executive, also benefited from the rise in rooms that followed its acquisition of more hotels. It has more than 4,900 rooms, compared to 4,503 a year ago.

Mr Chisman said the improvements came partly from better marketing and partly from "knowing better when the hotel is going to be full, and, therefore, knowing when to hold out for the full rate".

He also said that Stakis was not talking to Granada about buying any of the unwanted hotels it acquired when it recently took over the Forte hotels group. Stakis would be more interested in the four-star hotels that Granada wishes to retain.

BUSINESS ROUNDUP

Economies of West Europe disappoint

WEST EUROPEAN economies have seen a marked deterioration since early 1995 and forecasts have been revised downwards significantly, according to United Nations Economic Commission for Europe report. It expressed disappointment that the slowdown in western Europe had come before the current upswing had had enough time to have much impact on persistently high levels of unemployment.

In contrast, eastern Europe showed 1995 real gross domestic product up over 5 per cent, with a bigger rise expected this year. A deep depression in output in Russia continued, but Armenia and Georgia actually saw an increase.

Profits fall at Britannia

BRITANNIA GROUP, the housebuilding and construction company based in Cheltenham, is holding the total dividend at 1.6p a share after suffering a fall in pre-tax profits to £713,000 in 1995 from £1.66 million in 1994. Earnings fell to 3.1p a share from 5.3p. There is a final dividend of 1.1p. The shares fell 1p to 25p. The company said it continued to trade "in extremely difficult markets". Turnover improved to £48.97 million from £46.4 million.

Threat to KCPL merger

WESTERN RESOURCES offered to buy Kansas City Power and Light in a \$1.7 billion deal aimed at breaking up a friendly merger proposed between KCPL and UtiliCorp United. John Hayes, Western chairman, said the move would save more than \$1 billion during the first 10 years, or 64 per cent more than in a proposed KCPL merger with UtiliCorp. Western has asked for a response by April 22, one month before shareholders vote on the UtiliCorp-KCPL deal.

DTI bides time on leak

THE Department of Trade and Industry yesterday held off immediate action to obtain an injunction against *The Economist* over the magazine's possession of a Monopolies and Mergers Commission report on takeovers in the electricity industry. The DTI, which had demanded the return of the leaked report by 3pm yesterday, said it was "considering its position" after *The Economist* refused to hand over the report.

Automated Security slip

AUTOMATED SECURITY HOLDINGS, the debt-laden burglar alarm and security company, slipped back into losses of £1.3 million (£800,000 profit) during the first quarter to February 29. Gains in turnover and operating profit were wiped out by a 33 per cent fall in continuing operations and loss of contribution from discontinued businesses. A £1 million interest charge on debts also helped to take losses per share to 1.9p (nil).

PIA calls for changes

THE Personal Investment Authority, the watchdog for firms selling direct to the public, yesterday published a consultative paper proposing changes to the way in which friendly societies are regulated. Among the PIA's recommendations are a doubling of the earnings limit to £1,000, below which advisers do not need to supply references or be subject to the tougher training and competence standards; and exemption from factfinders and reason-why letters at very low premium levels.

AN IMPORTANT MESSAGE FOR MEMBERS OF BRISTOL & WEST



As you may already know, the Board of the Bristol & West Building Society yesterday

announced that it intends to recommend to Members that Bristol & West should become part of Bank of Ireland Group.

Customers of Bristol & West are being sent a Notice explaining the reasons for the decision together with a leaflet, *Answers to Your Questions*.

A free Information Line has been set up on 0800 886633. Lines will be open from 8.00 am to 8.00 pm Monday to Friday and 8.00 am to 1.00 pm on Saturdays.

Full details about the transaction will be circulated in due course in a Transfer

Document for consideration at a Special General Meeting of the Society when eligible.

Members will have the opportunity to vote on the proposal.

Members should note, however, that no decisions are to be taken

on this matter at the Society's Annual General Meeting on 19 April 1996.

The Norwich Union Life Insurance Society

Notice is hereby given that the Annual General Meeting of this Society will be held at St Andrews Hall, St Andrews Plain, Norwich at 12 noon on the 10th May 1996 for the transaction of the following business:

Ordinary Business

To receive and consider the Accounts of the Society for the year ended 31 December 1995 and the reports of the Directors and Auditors.

To elect Directors in place of those retiring by rotation.

To elect Michael Biggs, Sir Michael Partridge, Alan Perlman and John Stanforth, as Directors, particulars of whom are available on request from the Secretary of the Society.

To re-appoint Ernest Young as Auditors of the Society and to authorise the Directors to fix their remuneration.

Special Business

To consider and, if thought fit, to pass the following resolutions:

Ordinary Resolution

1. That pursuant to Article 43 of the Articles of Association of the Society, the maximum aggregate remuneration of the directors for their services as such shall be £350,000 per annum.

Special Resolution

2. That the Articles of Association of the Society be altered in the following ways:

(a) By substituting for the existing wording of Article 79(1) and Article 79(2) a new Article 79(1) in the following form:

"Any notice to be given by the Society to its members, including any notice of a General Meeting, may be given, at the option of the Directors, in any of the following ways:

(a) by advertisement in accordance with Article 80; or

(b) by post in accordance with Article 81; or

(c) by serving it personally."

(b) By inserting a new Article 79(2) as follows:

"The proceedings at any meeting shall not be invalidated by virtue of the non-receipt of a notice of meeting or instrument of proxy by any person entitled to receive one, or by virtue of the accidental omission to send either of those documents to such a person."

(c) By renumbering Article 1 as Article 1(a) and including as a new Article 1(b) the following wording:

"(1) The Directors may at any time determine to close membership of

Notes

1. Members may find the following explanatory information of assistance:

(a) Ordinary Resolutions

i. The named Directors are those who have been appointed by the Board in the 1995/96 year and are therefore obliged to offer themselves for re-election at the Society's Annual General Meeting.

ii. The aggregate limit on Directors' fees for their services as Directors is currently £270,000. Since that limit was agreed the size of the Board has increased and this, together with modest increases in non-executive Directors' remuneration, has made it necessary to review the limit.

(b) Special Resolution

i. Alteration of Article 79. Notices

The Articles currently provide that notice of every general meeting must be given by advertisement in a London and a local newspaper. The amendment proposed adds the flexibility of notice being given to members

by post or personally. In case the Society wishes to take advantage of its new power to give notice of meeting by post, a further amendment is proposed to ensure that non-receipt of a notice or proxy form by a member, even in the case of accidental failure to post such a document, will not invalidate the meeting. This type of provision is standard practice.

ii. Incorporation of new Article 1(b): Membership

The Directors announced on 13 October 1995 that they were considering the demutualisation and flotation of Norwich Union and stated that it would be well into 1996 before a further statement could be made. This remains the case. However, the Directors are concerned to ensure that they have the flexibility to introduce a cut-off date for membership of the Society in the event that there is need to do so. This is to protect the interests of current members. The Directors may only exercise this power in the context of demutualisation and not in any other circumstance.

3. Members who wish to attend the meeting or require any further information including a form of proxy should those who wish to receive one are invited:

The Secretary's Department
The Norwich Union Life Insurance Society
Surrey Street
Norwich
NR1 3NG

to telephone 0645 444818

Members are asked to quote the number of one of their life and pensions policies with The Norwich Union Life Insurance Society when applying.

Movie duo agree £6m studio deal

By ERIC REED

RIDLEY and Tim, the directors of *Alien* and *Blade Runner*, are to build a £6 million production studio in the US with The Miramax production company.

The studio, known as Digital 1, will be built in the area of Los Angeles in 1997.

Pat Joseph, producer of *The 11th Floor*, will be studio's first tenant, with California's *Light and Magic*.

The new company, to be called *Reed and Tim*, will produce for the feature film, television and new media markets.

Merger with SN

Merrill book

BY ERIC REED

New York's Credit Suisse Lynch have agreed to buy the first half of the firm's main business in the UK.

For the same period last year, the two companies had revenues in the UK of £1.5 billion.

With the merger, Credit Suisse Lynch will have a 55 per cent share of the market in the UK.

With the merger, Credit Suisse Lynch will have a 55 per cent share of the market in the UK.

JULY 1996

□ Learning from the mistakes of others □ Two-tier supervision by Imro □ A question of Swiss timing

Bristol ship-shaped at last

□ THE accident-prone Bristol & West, which once seemed to make every mistake going as a building society, has at last learnt from the mistakes of others. It may even manage to be taken over and give its million members a bonus of up to £1,000 without upsetting anyone. But, then again, society members will probably discover a way to find fault with the sale of the ninth largest society to the Irish Republic's oldest bank.

Giving away the assets of a society to its owners, the members, is more difficult than it might at first seem. Savers continue to withdraw a pound too much on the day before the qualifying date for the bonus, or swap from one account to another. Even worse, the first named customer may die, leaving the account bereft of a bonus in spite of years of joint loyal membership.

At one time, B&W was rumoured to be a rescue candidate. It went on to make industry history by giving the largest payoff of its former chief executive for a brief and disastrous tenure, while continuing to pay him as a consultant. It bought into exclusive estate agents at the top of the market

and sold out only weeks ago, just as the housing market was eventually showing signs of life.

Its bad debts were bad and in an ill-judged attempt to get some of its repossessed properties off its books, it joined forces with a housing association to sell the properties to house the homeless. Not the ones that it had evicted, of course. It was a great tax wheeze for the rich, who could put in £40,000 and get tax-free income and profits, if there were any. National & Provincial, soon to become part of Abbey National, joined B&W in the scheme, but not other lenders fancied the opprobrium attached.

But B&W, at that time seemed almost to revel in bad publicity. Any publicity seemed to be better than none, appeared to be its motto. Under the careful hand of John Burke, its current chief executive, that has changed. He is less flamboyant than his predecessor, but he needed to be if the society was to win any willing suitor rather than a

distress merger. He has safeguarded the payout for members and the future of its branches.

And to try to win over all members, savers have until the end of this year to top up their accounts to the qualifying £100 and then receive a bonus of at least £500 next summer. Those who do not manage to do this will have only themselves to blame.

It still has more than a year before the money is in the pockets of its members and it is part of the Bank of Ireland. Things can go wrong far faster than that, as this particular society knows to its cost.

A lighter touch from watchdog

□ IF CITY watchdogs have learnt one thing it is that no run of good fortune lasts forever. Imro, however, has been enjoying a fair run since it fought back from almost losing its parish

that might be subject to a lighter touch on the regulatory reins.

That will no doubt be welcome to many groups that constantly grumble that the costs of complying with all the rules have to be passed on to investors and that such tight policing distracts management time away from the important task of running a business.

Of course, the secret and indeed the strength of Imro will be if it can find 50 firms that are beyond reproach and remain so. Companies that are not inspected as often or as thoroughly as they should be because they appear to be beyond reproach have a habit of going astray. Note Barings, regulated by the Securities and Futures Authority and the Bank of England.

Investors in firms under a lighter Imro regime should also benefit. The regulator is asking that the firms should do far more to inform investors so that they can make the right choices. If the regulated firms fail to live up to

their promises, or they break the rules while benefiting from the more adult approach to regulation, heavy fines and the subsequent publicity will not suffice.

Expulsion from the industry is the only effective sanction and Imro may not survive either.

An open secret

□ CS HOLDING might well have bitten off more than it can chew when it rather rudely forced Union Bank of Switzerland to consider the idea of a merger.

Giving all public appearance of seriously considering the matter, the UBS board duly took two hours to think it over. Fifteen minutes after its meeting last week the board issued a well-written, well-thought-out statement explaining that it had rejected the merger proposal and suggesting that such a get-together with CS Holding was a

preposterous idea. Three days later Niklaus Senn, chairman of UBS, warmed to his theme, saying that actually a merger of two of the three big Swiss banks sometime in the future was not such a crazy notion. The big problem with the CS Holding approach was that it came from CS Holding.

A far better option for UBS, he said, would be a merger with the smallest of the big three banks, Swiss Bank Corporation. This would create fewer political problems, as there would be less overlap of branches in Switzerland, and the management culture of the two was closer than that of UBS and CS Holding. SBC had nothing to say on the subject. If its thoughts on the subject can be imagined, the bank is feeling somewhat hard done by at the rather un-Swiss public airing being given to the banking industry's problems. There is also the problem of the investment banking businesses where there would be massive overlap.

Dr Senn's decision to go public over his preference highlights the need for dramatic cutbacks in the over-banked Swiss domestic markets. The big question is over timing. Nothing is likely to happen in the short-term.

Hardy selling oil and gas reserves for \$179m to Enron

BY CARL MORTISHED

HARDY OIL & GAS is selling its exploration and production interests in the Gulf of Mexico for \$179 million to Enron, the US energy company. The deal will substantially eliminate Hardy's net borrowings but the company is already in negotiations to expand its energy and exploration business in new areas.

Enron Capital & Trade Resources, a subsidiary of Enron, is paying \$179 million for Hardy USA, which owns 21.7 million barrels of proven oil and gas reserves and a further 6.8 million barrels of probable reserves.

Hardy's share price rose 12p yesterday on news of the deal, which gave a per barrel value of the oil reserves sold at \$7.37 for each proven barrel and \$5.76 per proven and probable barrel. John Walmsley, the chief executive of Hardy, said the US interests were more mature than the rest of the portfolio and that resources needed to be redeployed elsewhere and indicated there were new investments under negotiation. He predicted that Hardy "will probably be add-



Walmsley: new areas

to exploration prospects alongside Enron. The option will last for three years.

The purchase price reflects the receipt of \$3 million from the prior sale to a third party of certain of Hardy's US interests totalling 2.6 million barrels. Hardy will also retain an option to acquire a quarter share in certain Gulf of Medi-

um.

The proceeds will be used to support Hardy's other projects, including the Elgin and Franklin fields in the North Sea and development of the Bayu field, north of Australia. Hardy is liable for £130 million of the Elgin/Franklin development costs.

The disposal of the US energy and exploration business is part of a slimming down of the company's areas of operation, which started last year after the arrival of Mr Walmsley as chief executive. The company sold its Canadian interests for £21 million and shed two North Sea fields, while the company is to withdraw from other interests in the Netherlands, Libya, Algeria and Namibia.

Temps, page 28

Rebel yell at Union Bank

A REBEL Union Bank of Switzerland shareholder will today attempt to persuade other investors to join him in blocking the nomination of Robert Studer to succeed Niklaus Senn as chairman (Patricia Tehan writes).

Marin Elbner's BK Vision investment fund is planning to oppose Mr Studer's nomination as part of a legal dispute with the bank over the board's plans to alter the share structure, removing the extra voting power of the registered shares. At this afternoon's

meeting at Zurich's Hallestadion, Dr Senn will also be expected to defend the board's decision to reject merger proposals from CS Holding after a board meeting last week and to explain his weekend comments that a merger with Swiss Bank Corporation would be preferable.

He is expected to say that the time is not yet right for a merger of any two of the big three Swiss banks, but that he does not rule out a link-up in the future.

Pennington, this page

Payoff by CRA topped £1m

A HIGH-RANKING executive with CRA, the Australian mining group, was given nearly Aus\$3 million (£1.4 million) on his retirement last year, according to newly disclosed figures (Jon Ashworth writes). Mark Rayner, who held various senior posts in a 33-year career with the company, stepped down in April 1995.

Mr Rayner, 58, who earned Aus\$513,000 in salary and benefits in 1994, his last full year, was awarded Aus\$2.9 million on his retirement. He was paid a further Aus\$334,000 in 1995, despite resigning just four months into the year.

Robert Wilson, chief executive of RTZ-CRA, was paid £671,000 last year, including a £192,000 bonus. Sir Derek Birkin, who retires as non-executive chairman this year, received £281,000, down from £445,000. Leon Davis, who has relocated from Melbourne to London as chief operating officer, received £475,000 in 1995. The figures exclude pension contributions.

The more

you fly

Business Saver Card

Movie duo agree £6m studio deal

BY ERIC REGOLY

RIDLEY and Tony Scott, the directors whose films include *Bladerunner*, *Alien*, and *Top Gun*, agreed yesterday to build a £6 million post-production digital studio in partnership with The Mill, a post-production company in London.

The studio, known as the Mill Digital Film Company, will be built in the Soho area of London. It is scheduled to open early next year.

Pat Joseph, production director of The Mill, said that the studio would compete with California companies such as Digital Domain and Industrial Light and Magic.

The new company will specialise in digital effects for the feature film, television and new media markets.

Time Warner doubles loss

FROM RICHARD THOMSON IN NEW YORK

TIME WARNER, the entertainment and media conglomerate, has doubled its loss in the first quarter of this year in spite of increasing group revenues to a record \$4.5 billion.

Most of the company's main business areas showed a substantial rise in revenues and in earnings before interest, taxes and depreciation — a key measure used by analysts to judge the health of media companies. Earnings from the publishing, entertainment and cable network business rose 32 per cent to \$399 million from \$301 million a year ago.

The loss of \$93 million — largely the result of the group's massive debt burden — included a \$26 million extraordinary cost from the retirement of some convertible debt. In the same quarter a year ago, the net loss was \$47 million.

However, the results show

that the group is generating large amounts of cash which is what Wall Street worries about most with heavily indebted companies. Both Warner Brothers, the film studio, and HBO, the TV channel, continued a streak of strong growth with record revenue and earnings for the quarter.

The results are likely to strengthen the fragile position of Gerald Levin as chairman and chief executive. He has come under heavy fire for his handling of Time Warner, including a string of departures by senior executives who have received massive payoffs to leave.

The group is still trying to win approval for its takeover of Turner Broadcasting, which owns the CNN TV news channel and is run by Ted Turner. The deal is expected to go through this year.

Merger with SNC brings record earnings

Merrill boosted by UK link

FROM RICHARD THOMSON IN NEW YORK

SMITH New Court, the broking firm bought by Merrill Lynch late last year, has helped to boost its new parent's results to record levels for the first three months of 1996, riding on the back of strong stock and corporate finance markets.

Merrill's first-quarter earnings were \$409 million, up 80 per cent compared with the same period a year ago, and 35 per cent above the final quarter of last year. The company said it had made record revenues in most of its main business areas including commission,

principal transactions and asset management.

The purchase of SNC, the UK broker, helped to increase revenue from international equities business to half of Merrill's total equity income, compared with 25 per cent in 1994. Total equity income at Merrill was down 12 per cent last year.

Merrill's strong results echo

those of other banks such as JP Morgan, which have benefited from strong equity markets and a takeover and flotation boom in the US. Net revenues for the bank rose 35 per cent to a record \$3.3 billion during the quarter.

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STOCK MARKET

MICHAEL CLARK

Big investors hold back as index hits new high

THE London stock market resumed its advance on the 3,800 level in the wake of Friday's positive performance by the Dow Jones average in New York. It eventually fell short of the mark, but prices still closed at their highest level ever.

After wavering briefly in response to a hesitant start to trading on Wall Street yesterday, the FT-SE 100 index resumed its climb, ending near its best of the day with a rise of 23.7 points at 3,790.5.

Money continues to trickle back into the market from investors wishing to reinvest their personal equity plan funds, but trading conditions generally remained thin, with less than 700 million shares traded by the close.

It seems institutional investors are reluctant to open fresh positions just yet. They will want to see what this week's economic packages, including the unemployment numbers and those all-important inflation numbers, contain before committing themselves again.

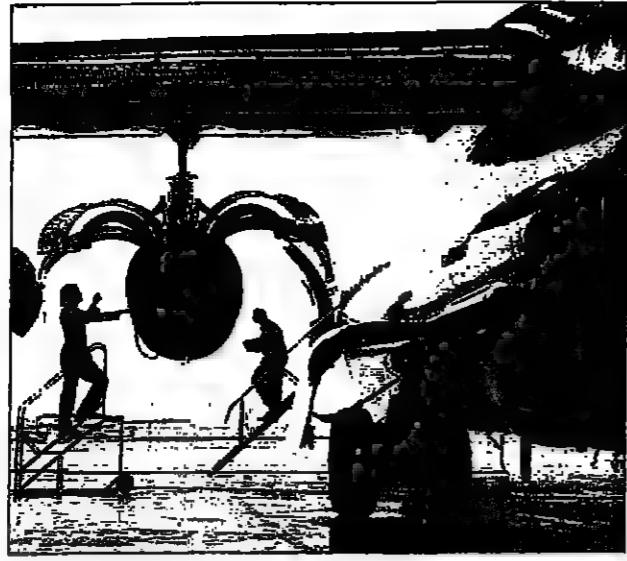
The week started on a positive note with a subdued set of producer prices for March. This helped to dissolve any worries among investors about growing inflationary pressures for the time being at least. Instead, much of yesterday was devoted to scrutinising the Railtrack pathfinder prospectus.

Double-figure gains were common among blue chips, with gains recorded in Glaxo, Wellcome, 151p to 805.1p, RMC Group, 24p to £10.93, and Reed International, 25p to £12.06. SmithKline Beecham put on 27p to 656p after completion of its share restructuring.

Hanson, among the heaviest traded stocks with 30.4 million shares changing hands, was 12p better at 188.1p.

Things may be changing for the better at Grand Metropolitan, with the price climbing 17p to 446p as NatWest Securities, the broker, again reiterated its buy recommendation. NatWest says that recent optimism over whisky price increases is unfounded, although in the longer term there is scope for optimism.

Recently, the shares appeared friendless when trading at around the 414p level. Not even recommendations from the likes of Cazenove or SBC Warburg could do anything to revive flagging interest.



The Easter exodus by air put 2p on BAA shares

BT, unchanged at 371p, is responsible for the fall. Cable & Wireless has extensive interests in the Far East, including a controlling interest in Hongkong Telecom.

The Easter exodus to overseas climes turned out to be good news for BAA Group, the independent airport operator, where a rise of 11 per cent was recorded in passenger traffic

Sears, the stores group, was the heaviest traded with 45.63 million shares changing hands after Merrill Lynch, the broker, executed a bought deal. It picked up 21 million shares at 94p from one institution before selling them on at 95.1p. The profit for Merrill was £315,000. Sears finished 1p lower at 97p.

ble-digit earnings growth. It should also be able to generate sufficient cash in order to return some of it to shareholders.

The flurry of speculative activity in Cable & Wireless showed signs of boiling over for the time being as the price fell 10p to 525p. Brokers say last week's cool response by the Chinese to the proposed merger between C&W and

last month. Naturally enough, the European charter market showed the strongest growth, with passenger traffic up 18 per cent. Stansted, in Essex, was reported to be the fastest growing airport in a stable that also includes Heathrow, Gatwick and Edinburgh. BAA rose 2p to 547p.

Confirmation of the £600 million merger between Bristol & West Building Society

and the Bank of Ireland left shares in the latter sporting a rise of 19p to 458p. Allied Irish Bank, Ireland's biggest bank, which was also said to be in the running for the Bristol and West, ended 5p better at 339p. Stoddart Sekers, the carpets and soft furnishings group, retreated up to 201.2p after warning that it will plunge into the red during the current year. The group blamed falling sales and intense pressure on prices which had continued to squeeze margins. Ralph Ellis, chief executive, said: 'We have been able to recover the first-half loss, but after interest, a loss for the year, before exceptional, will be reported.' The group is now proposing to reorganise its carpet-making operation for an estimated £2.5 million.

A positive statement on current trading from Stakis gave a boost to the rest of the hotel sector. Stakis says both occupancy and room rates remain strong. Second-quarter occupancy rates were 6 per cent ahead at 69.1 per cent, with room rates during the same period up from £42.94 to £45.69. Stakis responded to the news with a rise of 11p to 100p, while gains were also seen in Queens Moat, 4.5p to 29.4p, Friendly Hotels, 16p to 166p, MacDonald Hotels, 5p to 193p, and Arcadia International, 3p to 48p.

News of disposals raising £18 million gave Hardy Oil & Gas a boost of 12p to 252p.

□ **GILT-EDGED:** It was much the same pattern as last week as trading resumed after the weekend break, with low volumes and investor apathy leaving prices lower on the day.

Investors are clearly anxious to digest this week's welter of economic news before opening fresh positions.

As a result there was a general reluctance to open fresh positions.

In the future pit, the June series of the Long Gilt ended five ticks easier at £105.12, with just 30,000 contracts completed. In the conventional market, Treasury 8 per cent 2000 lost £1.16 at £97.16, while at the shorter end Treasury 8 per cent 2000 added £1.32 to £102.32.

□ **NEW YORK:** Good earnings news and interest in high technology shares saw Wall Street stronger and by midday the Dow Jones industrial average was 28.8 points higher at 5,560.77.

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MP's
laged rails?

THE TIMES TUESDAY APRIL 16 1996

ANALYSIS 29

THE
TIMES
CITY
DIARY

BAE hangs up
its clubs

AFTER Orange, the fire sale continues at British Aerospace. It has now sold one of its more attractive investments — the opulent Wisley Golf Club in Surrey. Sir Roger Forde's second home and the first golf club in England to be run as a syndicate.

The remaining stock has been bought for £3 million by Wisley Golf Club Plc, enabling its 596 shareholding members to take complete control. In spite of a lengthy waiting list for the club, which costs £2,200-a-year plus an obligatory £3,000 share, it intends that only a further 57 memberships will be made available before this time next year. Gerry Robinson, chairman of Granada, is already a member, as are BAe chairman Bob Bauman and chief executive Dick Evans.



ROBINSON: Wisley member

CULLODEN, the last pitched battle on British soil, took place 250 years ago today, the same year that Church, Adams Tatham, the solicitor, opened its London offices. To forecast interest rates for the next 250 years, the firm is hiring a clairvoyant for the Building Societies Association conference in Birmingham.

Golden boys

THE lure of London as a tax haven is proving too much for les jeunes golden boys de la finance. According to the magazine *Paris Match*, the only way that French banks are going to hold on to their best employees is by setting up operations overseas, *dans la City de Londres*.

Suckers

THOUSANDS OF Australian investors recently responded to a classified newspaper advertisement promising guaranteed returns of 85 per cent on the original investment. By return of post the investors received a booklet from the financial authorities, which had placed the advertisement, outlining the dangers of believing such outrageous claims.

Bone free

MARY-LORRAINE Hughes, one of the five finalists for the *Veuve Clicquot Business Woman of the Year Award*, is taking no chances with BSE. Ms Hughes, managing director of Portmeirion Pottery and a strict vegetarian, is boycotting traditional ingredients of bone china to develop an "animal-friendly" version. Portmeirion Pottery, as used by Princess Margaret, is plotting a mineral substitute of much that is wrong in this

Baby blues

IN SPITE of yesterday's advertisement for the £30,000 government affairs post at Midland Bank to cover maternity leave "on a fixed-term basis", the successful applicant should keep his or her eyes open for a follow-up job. The Listening Bank, which boasts 63 per cent female employees, has quietly axed its generous career break scheme that let new Midland mums take up to five years off, with their job guaranteed at the end. Now banking baby boomers get just 39 weeks' maternity leave.

MORAG DAWSON

RAILTRACK



John Edmonds, left, chief executive, Bob Horton, centre, chairman, and Norman Broadhurst, finance director, are leading Railtrack into the private sector

On track to offer investors an enticing opportunity

Jonathan Prynne reads between the lines to put the Railtrack flotation prospectus in perspective

all but have achieved their aim.

The original announcement that "not less than 51 per cent" of the shares would be sold has never been more than a smoke screen.

Barring a disastrous collapse in market conditions,

which probably would have

meant the entire sale being

pulled, the Government has

had no intention of carrying out a less than 100 per cent sale.

Leaving almost half the shares in public hands could

have left the company wholly

at the mercy of a hostile

government and made it

child's play for Labour to

restore a majority holding.

But when Railtrack finally

gets away next month, she

could be forgiven for indulging in an entire crate of vintage champagne, because this is the big one. Not particularly in sheer financial terms — the rolling stock leasing company sale brought in just as much cash — but in terms of what the sale represents.

For Railtrack is, in every

sense, the nuts and bolts of the rail industry. It owns the

network laid down by Victorian entrepreneurs and engineers that was then the envy of the world.

It is also at the centre of the

complex matrix of relationships devised by the Government and its advisers to make the industry perform or suffer the consequences. Once in the hands of a million private investors, the sale will become almost impossible to unpick without further, intensely damaging, disruption to the industry.

It is this factor, and the need

for revenue to fund tax cuts,

that has driven the timing of the flotation, originally scheduled for after the election rather than a year before (parliamentary survival permitting). Ministers, driven by the privatisation junkies at the Treasury, are determined to leave a railway incapable of being renationalised by an incoming Labour government.

With Railtrack in the private

sector and the sale of a handful

more rail franchises, they will

lutions, safety and the complexity of the performance regime, two other factors make this a unique privatisation.

First, no other large state-owned corporation has been so heavily dependent on government revenues for its income stream in the private sector. Secondly, no other flotation has been so heavily overshadowed by political risk. Sure, privatisations have taken place within a year of an election before now, but not with such high expectations in the City of a Labour government returning to power.

The Government has been forced to pay a heavy price for the City's instinctive caution about the sale. The 7 per cent yield is perhaps half a point higher than would have been offered under "normal" conditions.

Apart from the many question marks still hanging over the quality of the senior management, future industrial re-

deal from the Treasury over its debt structure in the private sector. It goes into the flotation with just £585 million of borrowings, giving gearing of just 24 per cent. The total write-off package is pushing £1 billion, at least £300 million more than the Government's original negotiating position.

On top of all that, the Government is spicing up the shares in an otherwise unexciting investment opportunity with an unprecedented package of sweeteners that will give shareholders a return of close on 20 per cent in the first 12 months. With building society rates marooned around the 4 per cent mark, the shares are offering a premium over "safe" returns that would not disgrace a junk bond.

There is a catch, of course. The second instalment on the shares will have to be paid 13 months after the flotation, by which time Tony Blair could be settling in at Downing Street. Even then, there is

more sugar for the pill in the form of a 15p per share discount on the second instalment. And with up to a million individual shareholders in the company, not to mention virtually every pension fund and insurance company in the land, how many votes would there be in depriving widows and orphans of their promised Railtrack bonanza?

After the flotation, Bob Horton can really let his private sector instincts rip. It has been an uncomfortable two years for him, stuck as he is between the rock of political interference by the Government and the hard place of Clare Short's contempt. If Railtrack can start to deliver the sort of investment and network improvements that it has been promising, without compromising safety or sparking a major confrontation with the unions, the public's regard for the company, still stuck at rock bottom, could begin to shift.

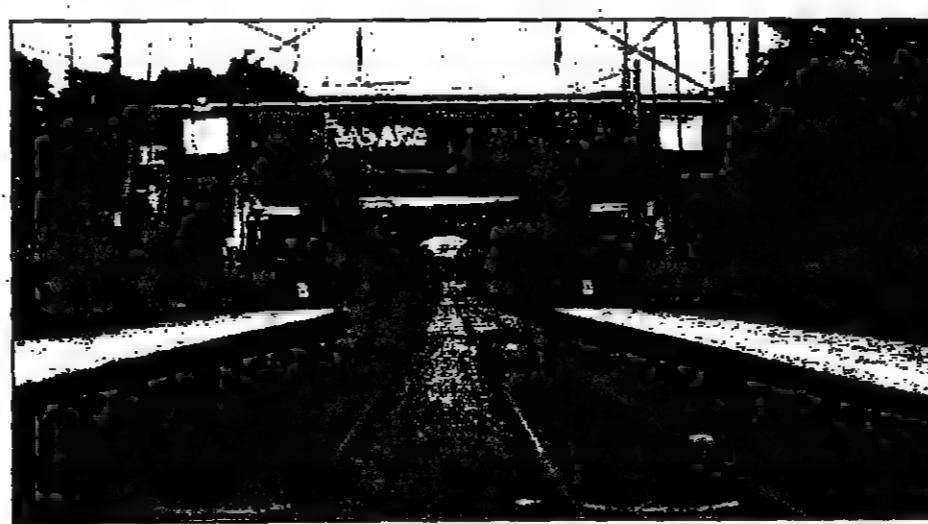
These are big, but

Railtrack executives are already quietly musing about the "highly commercial deals" they expect to strike with train operators over track access once HMG is removed from the share register. If these now

through as lower train ticket prices for the traveller, the public's highly sceptical attitude towards rail privatisation could ultimately be transformed.

There is no doubt that Railtrack will be a very different company after May 20, when the shares are floated. But whether it will have time to make any difference is another matter.

The Government deserves praise for getting as far as it has, against all expectations, in the long, tortuous process of privatisation. It is now up to the private operators who have taken on the thankless task of running the railways to see if they can do any better than the State.



The way ahead: Railtrack executives are planning 'commercial deals' for after flotation

Why should the taxpayer have to subsidise so many non-viable products?

From Mr Anthony G. Phillips

Sir, I cannot recall a single day

this year when you have not reported further UK job losses. So your report (March 28) that aid to Jaguar will guarantee several thousand new jobs seems to be generally welcomed.

The motor industry is seen

as a barometer of British

industry and is symptomatic

of much that is wrong in this

country. According to my research, motorists today have the choice of some 1,400 models from 55 manufacturers — surely plenty of choice, especially when a new model can cost a billion pounds to develop.

Add in a distorted tax regime that favours company cars and it will be mostly companies which buy the new model.

So taxpayers, poor and rich alike, will be subsidising vehicles

which many of us may aspire to but few of us afford. Employment is a means to an end, not an end in itself, so that producing goods and services which people do not want, let alone need, is little short of profligacy, further squandering materials and energy and adding unnecessary pollution in the dogmatic pursuit of "growth" and full employment. Already other manufacturers, even those far

from being "lame ducks", are jumping on the subsidy bandwagon. Yet if they have a viable product it will sell without the support of taxpayers. If products are non-viable then we should not be supporting them.

Yours faithfully,

ANTHONY G. PHILLIPS,

32 Upper Street,

Salisbury,

Wiltshire.

<p

Shares squeezed higher

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1995 High	Low	Company	Price	Yield	%	PE
556	500	Alfred Dunhill	494	6	80	17.9
525	502	Baileys (R)	623	2	25	19.5
135	125	Barratt	125	1	10	12.5
424	412	Barratt	445	17	42	12.5
493	428	Barum	455	1	4.0	16.5
185	172	Barum (R)	171	1	1.1	25.1
550	615	Barum Min A	453	1	2.2	17.8
765	655	Barum Min B	761	1	3.6	17.8
111	105	Barum Min C	103	1	2.5	17.8
2610	1972	Barum Min D	1974	6.0	1.6	30.2

1995 High	Low	Company	Price	Yield	%	PE
105	100	Banks	100	0.7	1.0	17.8
385	322	Barred Owl	315	4.3	11.1	11.1
325	299	Barry Asia	310	1	8.5	5.6
125	115	Barry Holdings	124	1	1.0	13.0
310	290	Barry Min	305	1	1.0	11.3
610	585	Barwest	585	1	4.4	9.5
165	155	Barwest Min	155	1	1.0	13.0
425	394	Barwest Min C	394	1	2.4	13.0
1275	1171	Barwest Min D	1150	1	3.1	16.1
1285	1171	Barwest Min E	1171	1	3.1	16.1
765	579	Barwest Min F	579	1	4.5	10.4
1265	1025	Barwest Min G	1025	1	5.7	12.0
1255	1055	Barwest Min H	1055	1	5.7	12.0
1255	1055	Barwest Min I	1055	1	5.7	12.0
1255	1055	Barwest Min J	1055	1	5.7	12.0
1255	1055	Barwest Min K	1055	1	5.7	12.0
1255	1055	Barwest Min L	1055	1	5.7	12.0
1255	1055	Barwest Min M	1055	1	5.7	12.0
1255	1055	Barwest Min N	1055	1	5.7	12.0
1255	1055	Barwest Min O	1055	1	5.7	12.0
1255	1055	Barwest Min P	1055	1	5.7	12.0
1255	1055	Barwest Min Q	1055	1	5.7	12.0
1255	1055	Barwest Min R	1055	1	5.7	12.0
1255	1055	Barwest Min S	1055	1	5.7	12.0
1255	1055	Barwest Min T	1055	1	5.7	12.0
1255	1055	Barwest Min U	1055	1	5.7	12.0
1255	1055	Barwest Min V	1055	1	5.7	12.0
1255	1055	Barwest Min W	1055	1	5.7	12.0
1255	1055	Barwest Min X	1055	1	5.7	12.0
1255	1055	Barwest Min Y	1055	1	5.7	12.0
1255	1055	Barwest Min Z	1055	1	5.7	12.0

BANKS

1995 High	Low	Company	Price	Yield	%	PE
305	295	Barum	294	6	80	17.9
525	502	Baileys (R)	623	2	25	19.5
135	125	Barratt	125	1	10	12.5
424	412	Barratt	445	17	42	12.5
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2610	1972	Barum Min D	1974	6.0	1.6	30.2

BREWERIES, PUBS & REST

1995 High	Low	Company	Price	Yield	%	PE
556	500	Alfred Dunhill	494	6	80	17.9
525	502	Baileys (R)	623	2	25	19.5
135	125	Barratt	125	1	10	12.5
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111	105	Barum Min C	103	1	2.5	17.8
2610	1972	Barum Min D	1974	6.0	1.6	30.2

BUILDING & CONSTRUCT

1995 High	Low	Company	Price	Yield	%	PE
17	17	ABF Int'l	12	1	1.1	11.1
125	125	Abell	125	1	1.1	11.1
175	175	Abell	125			

87/101/20

Pace plans £200m flotation to fund overseas expansion

By ERIC REGULY

PACE, a technology company that makes decoders for satellite and cable television, said yesterday that it planned to list its shares on the London Stock Exchange this summer. The offering will capitalise Pace at about £200 million and allow it to fund its overseas expansion.

Pace expects to sell less than 50 per cent of the company, allowing David Hood and Barry Rubery, the founders and joint chief exec-

utives, to retain control. Panmure Gordon and BZW, the underwriters, are not able to say how many shares are to be sold or give their indicated price range. The prospectus is to be published in late May or June.

The offering is expected to be one of the largest in the British technology sector this year. Public financings in the industry have been rare in recent months.

Pace has no direct competitor in this country. Its speciality is the development and

production of analogue and digital receivers and decoders for the domestic and foreign market. About 80 per cent of the company's sales are made to overseas customers. In the nine months to March 2, it reported pre-tax profits of £9 million on turnover of £125 million.

In Britain, it controls roughly half of the market for the analogue decoders used by customers of BSkyB, the satellite broadcaster owned 40 per cent by News International, publisher of *The Times*.

Pace is also trying to develop a single decoder that can be used to unscramble terrestrial and satellite digital signals. The BBC and BSkyB hope to launch digital TV services within the next few years and the idea is to minimise the customer's expense by producing one box than can be used for both.

Mr Rubery, who owns 26 per cent of Pace, said: "We would be very surprised if we did not get a significant piece of the digital decoder market in Britain."

□ Vanguard Medica, the drugs development company, which was launched by six industry veterans, including Sir John Vane, the Nobel prizewinner, said its May flotation would raise about £40 million.

All of the shares will be placed with institutional investors, but will be traded on the London Stock Exchange on the day after the sale, allowing individual shareholders to buy. The flotation will value Vanguard at about £30 million.

High rise of the tiger economies

FROM TOM WALKER IN HONG KONG

THE topping out of the world's tallest building, the Petronas Towers in Kuala Lumpur, has confirmed that Asia's tiger economies are no longer content just to beat the West in terms of gross domestic product.

The 452-metre twin towers, the first non-western record-breakers in the global skyscraper league, confirm that Asia wants to flaunt its wealth. Successors are lining up on the drawing boards of the world's top architects — the Shanghai World Financial Centre, scheduled for completion after the turn of the century, will be 488 metres high.

In Hong Kong, meanwhile, Nina Wang, Asia's most powerful businesswoman, is keeping her cards closely guarded — all that is known is that her Kowloon Nina Tower is to be the tallest of all.

For Asian governments, the mad rush skywards sends a signal to the West about their intentions — to rid themselves for good of their "developing nation" tags and to symbolise membership of the world's elite. For domestic voters there is a message, too: do you really want to mess with a government capable of erecting such grandeur in your midst?

Western architects and engineers see the phenomenon more prosaically: Asia is pro-

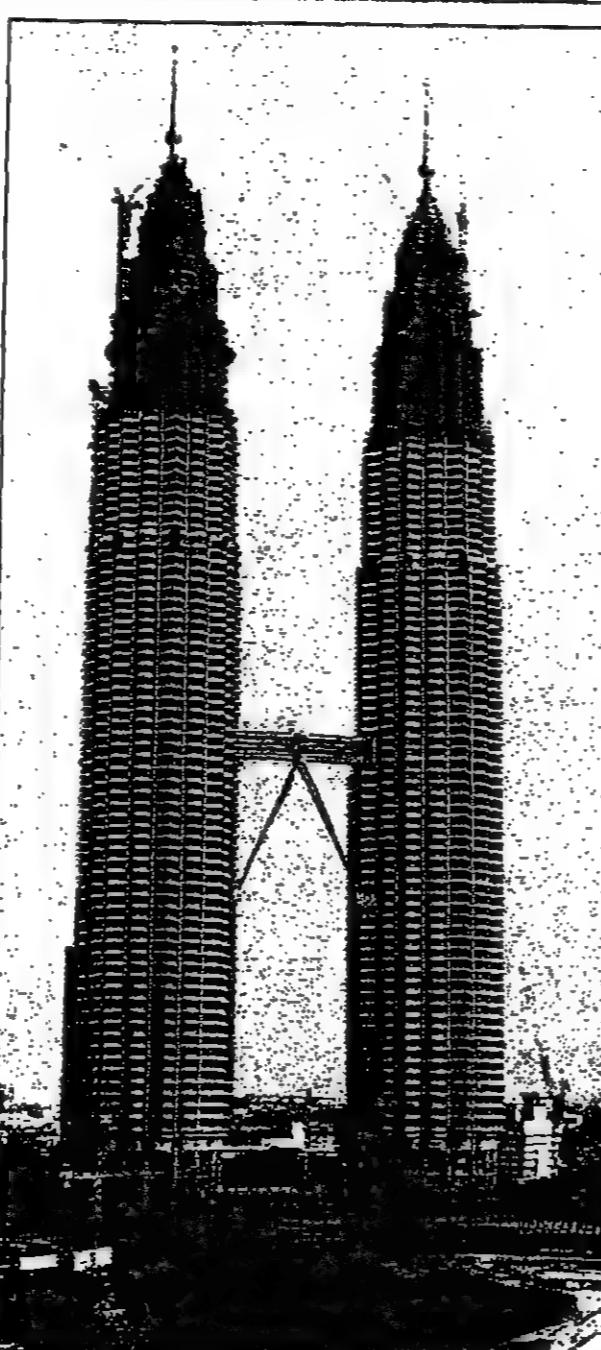
viding jobs. For many American practices, the specialists in skyscraper design, Asia now takes up between half and two-thirds of turnover.

Even European companies capable of operating in the big league, such as Ove Arup and Partners, the engineers, are devoting about 25 per cent of their resources to the region. Derek Smyth, a senior engineer with the company, says: "Asia is where the challenges lie."

The economics of such massive structures are at best cavalier. Architects and engineers agree that the cost efficiency of any building drops off sharply above 12 storeys.

Nina Wang's tower, located in a downmarket area of Kowloon, appears to defy logic to the extent that it can only be a monument. Set to cost about \$10 billion, Mrs Wang has dedicated the tower to the memory of her husband, David, who disappeared in mysterious circumstances during a chase involving an amateur triad and a Chinese naval vessel.

Chicago's Sears Tower held the world's tallest title for 22 years. Given the business dynamism of Asia, Petronas Towers, the Shanghai financial centre and Nina Tower are all likely to be eclipsed rather sooner.



Up and up: the Petronas Towers in Kuala Lumpur

Johnson Fry final stays unchanged

JOHNSON FRY Holdings, the financial services group, held its final dividend unchanged at 2p a share yesterday after a fall in 1995 pre-tax profits to £2.9 million from £4.2 million (Robert Miller writes). The total dividend for the year ending December 31 was doubled to 4p a share.

Paul Gildersleeves, finance director, said the fall in pre-tax profits reflected a £3 million non-recurring profit that appeared in the previous accounts and £1 million in start-up costs for new businesses last year.

Johnson Fry increased its portfolio of residential properties under management by 22 per cent to 13,647. Operating profits from housing management were more than halved to £2.3 million. Funds under management rose by £100 million to £370 million and the division made an operating profit of £97.2 million (£64.3 million).

Tempus, page 28

Fraud puts Eastern Europe off agenda

By JON ASHWORTH

A GROWING number of UK companies are refusing to do business in Eastern Europe and the former Soviet Union because of rising levels of fraud, a survey has found.

And Singapore, Italy and America are singled out as risky in the poll that rates Nigeria as the worst risk of all.

Poor internal controls and collusion between employees and third parties are among factors fueling fraud running at more than \$1 billion a year, according to a worldwide study by KPMG. Three quarters of UK respondents named Nigeria as a country in which they would not do business.

More than a quarter said they would avoid Russia and former Iron Curtain countries.

Adam Bates, a partner in KPMG, said: "With the increased sophistication of criminals and the difficulty UK businesses have in monitoring and controlling transactions

conducted overseas, international fraud is a major problem. Fraud awareness, prevention and detection needs to be a priority for British companies who operate internationally."

Legislation aimed at protecting employees who "blow the whistle" on their workmates could be enacted in the UK early next year. The Public Interest Disclosure Bill goes before a committee of MPs tomorrow and is due for a third reading in the summer.

The Bill, introduced by Don Touhig, Labour MP for Islington, seeks to provide safeguards for employees who draw attention to misconduct or malpractice.

Employees are often aware of fraud within their organisation, but are too frightened to come forward. Public Concern at Work, a London-based charity that provides free confidential legal advice for concerned employees, said companies stood to

lose millions of pounds through improved lines of communication.

A multinational company recently exposed an alleged £3.2 million purchasing fraud after one of its employees contacted Public Concern at Work. Five people are now facing trial on charges of fraud, theft, and false accounting.

"Jack", the employee who broke the alleged fraud, said that steps to protect whistleblowers were to be welcomed. He said: "People would like to come right out and tell the company, but are worried about reprisals. They are worried about losing their job. In such a large company, people high up tend to think this can't be going on. They'd rather not know about it and don't want the bad publicity."

Public Concern at Work runs a confidential helpline for employees. The number is 0171 404 6609. Earnings per share rose 0.1p to 1.27p.

GWR Group plc

(Registered in England No. 715143)

Right Issue of 6,435,161 units of convertible subordinated unsecured loan stock 1996/2001 ("Loan Stock") of 5p nominal value at 205p per unit (automatically convertible into ordinary shares of GWR Group plc ("the Company").

CANCELLATION OF SECOND INSTALMENT
The Company announced on 3rd April, 1996 that it had not been successful in its offer to acquire Radio New Zealand Limited and that it would not now be calling the Second Instalment of the Rights Issue launched on 22nd March, 1996.

Pursuant to condition 2.4 of the deed poll of the Company dated 22nd March, 1996 constituting the Deed Poll ("the Deed Poll"), notice is hereby given that, as a result of the announcement, the Second Instalment has automatically been deemed to have been cancelled with effect from 3rd April, 1996.

Accordingly, every 2.77027 party paid stock units has been consolidated into one fully paid stock unit, which will automatically convert into one new ordinary share of 5p in the Company subject to and in accordance with the provisions of the Deed Poll.

16th April, 1996

Amey consortium gears up for tram contract

By PAUL DURMAN

THE £200 million contract to design, build and run a tram network for Croydon is expected to be awarded this week to a consortium involving Amey and Robert McAlpine, the construction companies, and CentreWest, the bus company.

The project, linking Croydon with Wimbledon and Beckenham as part of a 25-kilometre system, is part of the Government's Private Finance Initiative. The decision should be announced by the Department of Transport tomorrow or Thursday.

Backers of the consortium, Tramtrack (Croydon), include the Royal Bank of Scotland and Bombardier, the rolling stock manufacturer. The network should take about three years to build.

For Amey, the contract will be the second big boost to its

King rating strategy known as a road-builder, the company last month secured the £15 million purchase of one of British Rail's track maintenance companies.

Amey yesterday reported its 1995 results, with pre-tax profits slightly ahead at £53 million (£51.1 million). Earnings were also flat at 12.7p.

paying a final dividend of 4.7p (3p), increasing the total payout 58 per cent to 7.1p.

The Government's cutbacks to its road-building programme has checked Amey's growth and prompted the company to seek more facilities management work. An example is the £80 million contract it has with the City of Portsmouth.

Eddie King, chief executive, wants Amey to be treated as a support services company — which would command a higher rating on the stock market. He said more than 60 per cent of 1995's profits came from facilities management and maintenance.

Amey is considering asking to be reclassified by the Stock Exchange. Mr King said the true profitability of the railway maintenance business was about £6 million to £7 million.

Chartered Accountants produce results all year round

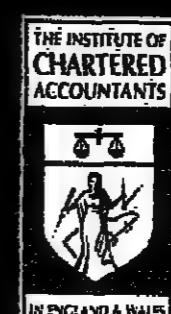
MAKING
A NEW YEAR'S
RESOLUTION
THIS APRIL.



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TIME WITH
YOUR
CHARTERED
ACCOUNTANT.

April may be Christmas for the taxman, but the last thing you should give up this new financial year is your best business adviser.

In fact, you should spend more time in the company of your Chartered Accountant. After all, no one has spent more time resolutely studying yours. And, as the independent voice of reason, no one is better qualified to give you wise business advice in the months ahead. A Chartered Accountant and a prosperous new year.



Chartered Accountants produce results all year round

THE TIMES TUESDAY APRIL 16 1996



■ VISUAL ART 1
Unloved and unloved: the Hayward Gallery needs a complete overhaul, says Richard Cork



■ VISUAL ART 2
A dream of ghostly buildings: Martin Kane's haunted landscapes receive a London show



■ VISUAL ART 3
... and another London gallery revives the work of Anthony Gilbert, creator of the After Eight box



■ JAZZ
From Stephane Grappelli to Andy Sheppard: the big names turn out at Cheltenham

Richard Cork demands immediate action to save the Hayward Gallery as a major art forum. Plus, the NatWest Prize

The beast needs feeding, or beauty will die

When the Greater London Council opened the Hayward Gallery on the South Bank in 1968, it was an exciting event thoroughly attuned to the optimistic spirit of the period. Matisse was the apt subject of the Arts Council's inaugural exhibition, and his work filled the uncompromising interior with a radiant affirmation of vitality. I remember visiting that inspirational show as an avid student and spending hours there drawing the paintings and sculpture with a feeling of intoxicated admiration.

Since that heady occasion the Hayward has mounted an abundance of major exhibitions ranging over the entire history of art. But the building itself, which must have seemed the last word in Brutalist modernity when it was designed, gradually became more and more inadequate. By 1985, when the GLC commissioned an independent report called *Art on the South Bank*, the gallery's shortcomings were criticised in detail.

As co-author of that report, with Balraj Khanna and Shirley Read, I naturally hoped that it would provide a springboard for swift action. But soon after its publication the following year, the GLC was abolished, and although the newly created South Bank Board promised to transform the Hayward, woefully little has been done to the building over the past decade. Looking over our report today, I am appalled to realise that most of its recommendations are still waiting to be implemented.

For the sake of the Hayward, and the future of the visual arts in this country, urgent action must be taken now. Occupying a site on one of the largest arts complexes in the world, this is a major gallery with an important international role. But it has become hamstrung by the deficiencies of a building planned and erected with a painfully limited notion of what such an institution should offer visitors.

The gallery's bunker-like facade is redolent of a time when architects shied away from making their facades inviting to the eye. And inside the Hayward scant provision is made for the public's needs. The foyer is ridiculously mean and cramped, leading to congestion whenever a well-attended show is held. True, the tiny bookshop's removal and expansion has made the foyer a little less restricting. But it still fails to reflect the importance of the Hayward as a whole, and the bookshop now occupies a room which originally formed a vital part of the exhibition space.

Inside, the sequence of galleries is handsome enough to make the Hayward a building well worth cherishing. Sculpture looks partic-

ularly impressive: Rodin has thrived here in two magnificent surveys, and contemporary sculptors from Anthony Caro to Tony Cragg have benefited hugely from their exposure. As for Richard Long, his show was a revelation for anyone who doubted the Hayward's ability to enhance the art on display. By relying on the inherent strength of the spaces at his disposal, Long proved that the building's unmodified interior provides a powerful setting for modern art at its most elemental. And I am sure that the 40,000 figures in Antony Gormley's *Field for the British Isles*, recently acquired for the Arts Council Collection, will look marvellous when it makes its London debut there later this year.

I disagree, however, with those who claim that the Hayward provides a poor backdrop for painting. The triumphant Matisse retrospective scotched that notion

The galleries are handsome enough to make the Hayward a building worth cherishing

at the outset, and I still relish the memory of discovering how well Morris Louis and Frank Stella interacted with the spaces they were given. Abstract painters look especially convincing at the Hayward, as Yves Klein's work demonstrated only last year. But figurative painting can thrive, too. Edward Hopper seemed completely at home there — and so, more recently, did the mesmerising Magritte. No wonder Howard Hodgkin responded with such enthusiasm when the Hayward invited him to exhibit there next winter. I am confident that he will provide London with the most beautiful show of the season.

Artists admire the split-level toughness of the Hayward's interior, and would rightly resist any attempt to change its fundamental character as a showcase for their work. But if we consider the rest of the building, its deficiencies quickly become glaring. Where are the lecture hall, workshop spaces and other educational facilities without which the Hayward is severely hamstrung in its efforts to elucidate the art on display? Where is the well-designed, light-filled cafe, providing a rendezvous far more inviting than the gloomy structure

and the total lottery bid of

£1.27 million. Extract them for a moment, and you find that the gallery's future can be secured for the relatively modest amount of £11 million. That is the cost of implementing the changes I have already outlined, as well as enhancing the neglected sculpture terraces, introducing a relocated and expanded Hayward shop, enlarging the foyer, overhauling and upgrading environment controls within the gallery, improving the facilities for staff, storage and loading, restoring the decayed concrete on the building's facade, and redesigning the gallery ceilings and lighting.

Much remains to be clarified in the detail design phase, and the contribution made by the Hayward's new director (who should be appointed this summer) will clearly be vital. But enough has already been proposed in the Rogers masterplan to ensure that it attains the right balance between preservation and transformation. While honouring the identity of the existing architecture, and seeing that its merits as a showcase for art are protected, the scheme will also give us a revitalised Hayward fit for its dramatically expanded role in the 21st century. If these changes are not implemented soon, the gallery will ossify and perish. That would be a national disgrace, and the £11 million required to secure the Hayward's viability is a price well worth paying.

IT IS perhaps unexpected, but deserved, that women artists have scooped the pool in this year's NatWest 90s Prize for Art. This year a record total of 686 artists went in for it, about equally divided between male and female. All five finalists — selected, ironically, by a jury of eight men — were women. That won't surprise anyone who has been keeping tabs on recent art school graduation shows. Noticeable everywhere have been not only the large numbers of women students, but also the high proportion of real talent.

The top prize (£20,000) went to Sarah Raphael, with a large landscape derived from a recent visit to the Australian outback. This shows a marked change of direction since Raphael's last London show, which was sited entirely on the fringes of fantasy. *Gibber Desert Constellation II* is painted with her usual meticulousness, but presents an aerial view verging on abstraction. The other prizewinners include bold portrait heads by Frances Borden (second prize of £10,000), figure compositions by Sarah Florence and Charlotte Sorapure, and, for the special student prize, a scene of female bathers at Hampstead Pond by Harriet Barber.

Royal Academy of Arts, Piccadilly, W1 (0171-439 7438) until Friday 20 May 1996

AROUND THE GALLERIES

□ AMONG the younger British painters (he is now in his mid-thirties), Martin Kane has one of the most instantly recognisable private worlds. The easiest shorthand to describe his new show is to say that his paintings look like classic surrealistic De Chirico without the overt fantasy. These strange, blind, empty-seeming buildings, despite their industrial overtones, come out of a dream rather than grainy reality. Often the pictures become almost abstract, so compulsive is Kane's playing with flat, featureless planes. Also, these seem to be cities of the dead: most of the pictures have no human characters at all. All the same, there is something compelling about these ghostly vistas. Also, maybe, a glimmering of hope: the tiny men are gradually getting bigger. *Beaux Arts*, 22 Cork Street, W1 (0171-579 5799) until May 4

□ FEW today will have heard of Anthony Gilbert. Even in his lifetime (1916-85) he was always the kind of designer and draughtsman who would be cherished by his peers but make little splash outside that small circle. Between 1943 and 1969 he lurked

within the bosom of J. Walter Thompson, so that even if some of his work, like the After Eight box, was very well known, he remained anonymous. The catalogue of this studio show is vague about dates, but the history is plain to read. The earliest works, exquisitely delicate drawings done in the Forties and Fifties for *Radio Times* and such, are succeeded by a large number of watercolours intensely redolent of the Sixties, full of curving, neo-Art Nouveau shapes, sometimes decked out in near-psychadelic colours. There are bold floral designs suggesting late Matisse cut-outs, delicate and accomplished still-lifes, portraits which indicate an extensive experience of fashion-drawing. Even more intriguing, there are mysterious works which look like monoprints, both in colour and in black-and-white, in which the pigment has been applied to the back of the paper and forced through to the front while still wet, giving a wonderful variety of unpredictable textures. Most of the work is intensely period, but all the better for that.

David Messum Fine Art, 8 Cork Street, W1 (0171-734 5545) until April 30

JOHN RUSSELL TAYLOR

BLUES: Marathon man still going strong after 30 years of gigs

Every inch a winner

Luther Allison
Bottom Line, W12

will give way to quantity. And while there may have been a slight sag here and there as Luther, or the audience, paused for breath, he managed to keep the momentum going and actually improve as the night wore on.

Despite his age, and his Chicago upbringing, this was

not a rerun of the blues as it was then, but a dazzling exhibition of blues as it is now. Backed by his European band and beefed up by a two-strong brass section, one of whom took to break-dancing whenever he had the opportunity, Luther's power chords shook the building as he growled, crooned and shouted his way through a set of strong, mainly self-composed songs.

"We don't let up," he said early on, and he wasn't wrong. From the new album came *All The King's Horses, Mow From The Flood, What's Going On In My Home And You Don't Know*, while a relaxed *Worried Life Blues* gave him a rare opportunity to display his blues harp prowess.

Then, cradling his guitar, he built up to a grand finale with guitar solos that built from a whisper to a scream before ending, drained but triumphant, with a stunning instrumental version of *It Hurts Me Too*.

And drained he was. While the rest of the band came back on stage, and the crowd roared for more, a bare-chested Luther reappeared with a towel draped around his shoulders to say that he was too hot and too tired to carry on. But never mind, it was another winning bout, and one step closer to the title.

A warm wind blows in from Norway

Even the weather could not dampen the spirits of Alyn Shipton at the first Cheltenham Jazz Festival

Harmattan itself began with a variety of airy effects, and alto saxophonist Øystein Sæbøstad emerged victorious from a saxophone chase in which Zoltan Vinchorend's tenor paced Sheppard effectively. Elsewhere there were some atmospheric moments from British keyboard player Steve Lodder, bass clarinetist Jan Karl Hystad and trumpeter Didrik Ingvardsen.

By bringing the Norwegian band to Britain for the first time, and commissioning a major new work, Cheltenham is clearly serious about putting itself on the jazz festival map. It was helped by a clever programme as varied as the spring weather, comfortable venues within an easy walk of one another, and the kind of surprise that makes a festival a sure-fire success.

Freddie Hubbard failed to show and was replaced by Gerard Presencer. John Etheridge sat in for a couple of numbers with a wheelchair-bound but magical Stephane Grappelli. Benny Golson joined Roots for their set, and Tommy Smith made a surprise appearance with percussionist Trilok Gurtu.

Gurtu's set fell into two extended halves, much of the first from his new album, *Bad*

Habits Die Hard. Sitting, kneeling and moving about his raised duffel full of exotic percussion, Curtiss peered out through a forest of cymbal stands to urge his band through pieces with delicate timbres and shades, alternating with robust electric funk. British bassist Mike Mondesir, making his first appearance with the group, fell naturally into the riffs alongside seasoned American guitarist David Gilmore. Gurtu's ability to keep entirely different rhythms going with both hands and his left foot was matched evenly by French keyboardist Andy Emmer, his left hand pacing the guitar riffs and his right darting over the synthesizer.

The final part of the programme was dominated by American heavyweights, the saxophone repertory band Roots following their fort-night at Ronnie Scott's, and Ray Brown and his trio fitting Cheltenham between concerts in Oslo and Barcelona.

Brown's group explores familiar mainstay jazz territory but finds plenty new to say. Benny Green is one of the world's most impressive young pianists, and his tribute to the late Phineas Newborn and a virtuoso performance of

from delicate quicksilver runs to massive locked hand chords. Brown's unparalleled experience has rubbed off on a group that can play extremely slowly or very quietly and still swing like mad, and only he would have chosen to end on the Dixieland warhorse *Ja Da* and turn it into a tour de force of trio bebop.



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A longer day for lawyers

Joel Parkes on
why the average
court day is not
fair to prisoners

It does not take a genius to see that overcrowded prisons and jails are having a profound effect on our courts. Michael Howard's latest proposal to reduce the numbers of people serving sentences because of unpaid fines is but one example of attempts made by the Home Office and various levels of the judiciary system to deal with the finite resources of our prisons.

The latest revelations about the seemingly liberal use of cautions for offenders should be looked at in this light. Whether or not judges are affected by this problem when it comes to their sentencing policy is a question that has to be asked.

Do judges really let the knowledge that the prisons are full affect their decisions when they give suspended sentences? Is the deterrent value of sentencing slowly being diminished? If so, what can be done?

One answer the authorities do not seem to discuss is the extension of court hours. As a paralegal, I spend a lot of my time in court-rooms and I am constantly amazed by what the legal profession considers to be a long, hard day.

Current practice in Crown Courts is to have any hearings listed for a 10am start. Any lawyer will tell you that 10am usually means 10.30am, which often turns into 10.45. Minor delays caused by the late arrival of witnesses, judges being delayed in traffic and barristers being locked into last-minute conferences push the starting time back even further.

When proceedings do start, they usually go on until 1pm, then break for lunch for an hour. Back in court at two and on until four or half past four is a typical afternoon. The average court day is five hours long. This is inefficient and against the interests of justice. Running the courts is a huge exercise. In England and Wales, about 30,000 magistrates sit at 600 courts to deal with 1.39 million defendants a year. In the Crown Courts, 1,600 circuit judges, recorders and assistant recorders deal with 125,320 defendants throughout 65 Crown Court centres.

If court times were extended by only two hours a day, 40 per cent



A case at the Old Bailey last century: court interiors may be less crowded now, but delays are as long as ever because court hours are too short

more cases would go through the system. That would cut by 40 per cent the number of people sitting in prisons or remand awaiting trial, a significant reduction in the overall number of people in jail. The cost of extending court times (theoretically a 9am start and a 6pm finish) would have to be weighed against the ensuing costs of building more prisons to accommodate a growing prison population.

But that is just the financial calculation. The gains in justice to those who are innocent and awaiting trial in remand is incalculable. The effect of a potentially reduced prison population on sentencing policy is impossible to measure, but it can safely be assumed that it will have some influence.

In the profession of law there

seems to be a willingness to believe in intransigence. Law is like any other academic pursuit: it should benefit from fresh approaches to old problems. But people in law react with disproportionate caution to any such ideas.

A official of the Lord Chancellor's Department conceded that the idea had merit but that it was "doomed to failure" because of the overwhelming prospect of judicial rejection. But this is rejection of a personal, rather than an academic, nature.

Extending court times is not a popular idea in the legal profession, but why should the popularity of an idea be the judge and jury of its chances for im-

plementation? Why is it that so many people abhor the idea of extra time in court? Though some stipendiary magistrates sit on Saturdays, the idea of extending Crown Courts to Saturday sittings meets with almost universal distaste. The reasons vary. One barrister even told me that Saturday sittings in Crown Courts were objectionable because that was the day on which he played rugby.

Chambers clerks, solicitors and various members of the Law Society all react to the concept of extended sitting times, on any day of the week, with a cautious but grudging admission that though the idea might work on paper, there were "too many personal considerations". Alex Carlisle, a Liberal Demo-

crat MP, remembers when courts did work on Saturdays, but, like many others, he believes that there would be too many obstacles to such a plan in today's legal world. Again, it seems, personal considerations come into the equation.

But does personal comfort outweigh the maxim that justice must not only be done but must be seen to be done? And what does this lack of willingness to sacrifice for the sake of justice within the legal profession say about our legal system?

In the light of recent revelations about the secrecy and questionable tactics of Whitehall, as revealed by the Scott report, can the legal profession sit back, arms folded, and shake its head with dismay at such unethical behaviour?

Under a savage influence

What can the College of Law expect from its new boss, asks Edward Fennell

The appointment, announced today, of Professor Nigel Savage as the new £100,000 a year chief executive of the College of Law looks like a typical Establishment ploy to disarm its critics by absorbing them.

As the head of Nottingham Law School since 1989, Professor Savage stirred up the complacent world of legal education by creating a hard-edged, commercially astute institution which aligned itself directly with the needs of the profession.

In forging this new approach Professor Savage overturned the traditional model as embodied by the College of Law.

The college, which used to provide two thirds of the country's legal education, was already on the defensive because of the creation of a free market in legal education.

But Professor Savage added to the college's unease by challenging the cosy relationship which it enjoyed with the Law Society. His argument was that, as regulator of professional standards, the Law Society should have no interest in the college. Launching a frontal assault on the status quo, Professor Savage

the time has come to stop being on the defensive and to start building on its considerable strength."

Professor Savage is quick to repeat what he's already done in Nottingham. There, he aimed specifically for the "quality end" of the market and targeted his services at the top City firms. When he takes over at the College of Law in the autumn he acknowledges that he must serve the mainstream.

He says: "The City is a major employer of young lawyers but we have to cater for medium-sized and high street firms as well."

Within his first year, he aims to create a clear vision of the role of the college. Though the basic menu of courses — the Common Professional Examination course for non-law graduates and the Legal Practice course which leads to the final qualification — will remain intact, Professor Savage wishes to examine the scope for making a wider provision.

Already the college has put in a bid to provide foundation education for barristers. Success in that field would instantly broaden the base of the college's course services.

Two further issues, however, will be of particular interest to him. First, the need for lifelong learning.

"Solicitors go through a well-established progression from trainee to partner and into management. Perhaps we should be providing training for each of those stages in a systematic way."

Secondly, there is the overseas dimension. "If legal services are international then maybe our legal education should be as well. We already have strong links with Commonwealth countries and with America. We need to think about how we can build on those in order to develop a global reputation."

The fact that the college is an exclusively graduate institution leads him to speculate on whether it could become the equivalent of Harvard Business School with an unrivalled capability for research as well as teaching.



Radical: Professor Nigel Savage

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Athens should inspire champions

Ajax offer tired excuse before demanding test

The discerning English football follower, one who can appreciate that the speed and competitiveness of the game here does not necessarily make it the most attractive in Europe, will need all his faculties tomorrow evening.

Kicking off at 7.30 British time and the only football screened live on television that day, one can watch Ajax experience their most searching test. The European Cup holders must come from a goal down in the intimidating arena of the Olympic Stadium in Athens against the unexpected semi-finalists, Panathinaikos. Those watching on ITV will doubtless have an ear tuned to Radio 5 Live, which will be covering the race for the FA Carling Premiership title. Newcastle United are at home to Southampton and Manchester United entertain Leeds United.

In terms of depth and aspiration, there is still no comparison between Manchester United and Ajax. The British club can afford to have its scouts in Athens. United are one of the predatory band of rich European clubs said to be courting Edgar Davids, the dynamic Ajax midfield player, and they are also reportedly interested in Giorgios Donis, the pacey Panathinaikos winger, who could yet be the overseas player needed to fill their vacancy on the right.

The night in Athens usually burns, from terrace fires if not from the gods above. The teenagers of Amsterdam, having surrendered their 19-match unbeaten European record to the wily counter-attackers from the Greek capital when they lost to a late goal at home, will be examined for nerve and heart and physical fitness.

Louis van Gaal, their mentor and coach, breathed defiance two weeks ago, saying



ROB HUGHES
Overseas Football

that only a fool considered the contest over - but now? "It's over," Van Gaal said yesterday. "We are running out of gas. It has been an exhausting season, with a lot of injuries, and I would not give us a 30 per cent chance of getting through to the final."

Believe that and you would believe anything. This is the team, a year on and a year more experienced, that, last season, three times destroyed AC Milan. Yes, Ajax are tired, so tired that they lead the Dutch league by five points with only three games to play. It is true that many of the players have had two full years without a break because they perform for the national team, but 73,000 fanatics in Greece's national stadium should inspire rather than daunt them.

Ajax have to outwit a team schooled defensively by Juan Ramon Rocha, who was born in Argentina, with a Polish goalkeeper, Jozef Wazdzik, and a Polish striker, Krzysztof Warycha, who penetrated the French defences two weeks ago. In 11 European games this season, the Greek champions have lost only once, scored just 13 times but conceded a miserly four goals. Watching Ajax trying to open up this contest will be intriguing to say the least.

Meanwhile, in Nantes, Juventus hope to make power and might, and apparently bottomless coffers, tell against the French. Juventus are two goals up after the first leg, but they threw away six weeks' work, six consecutive Serie A victories, by surrendering 3-0

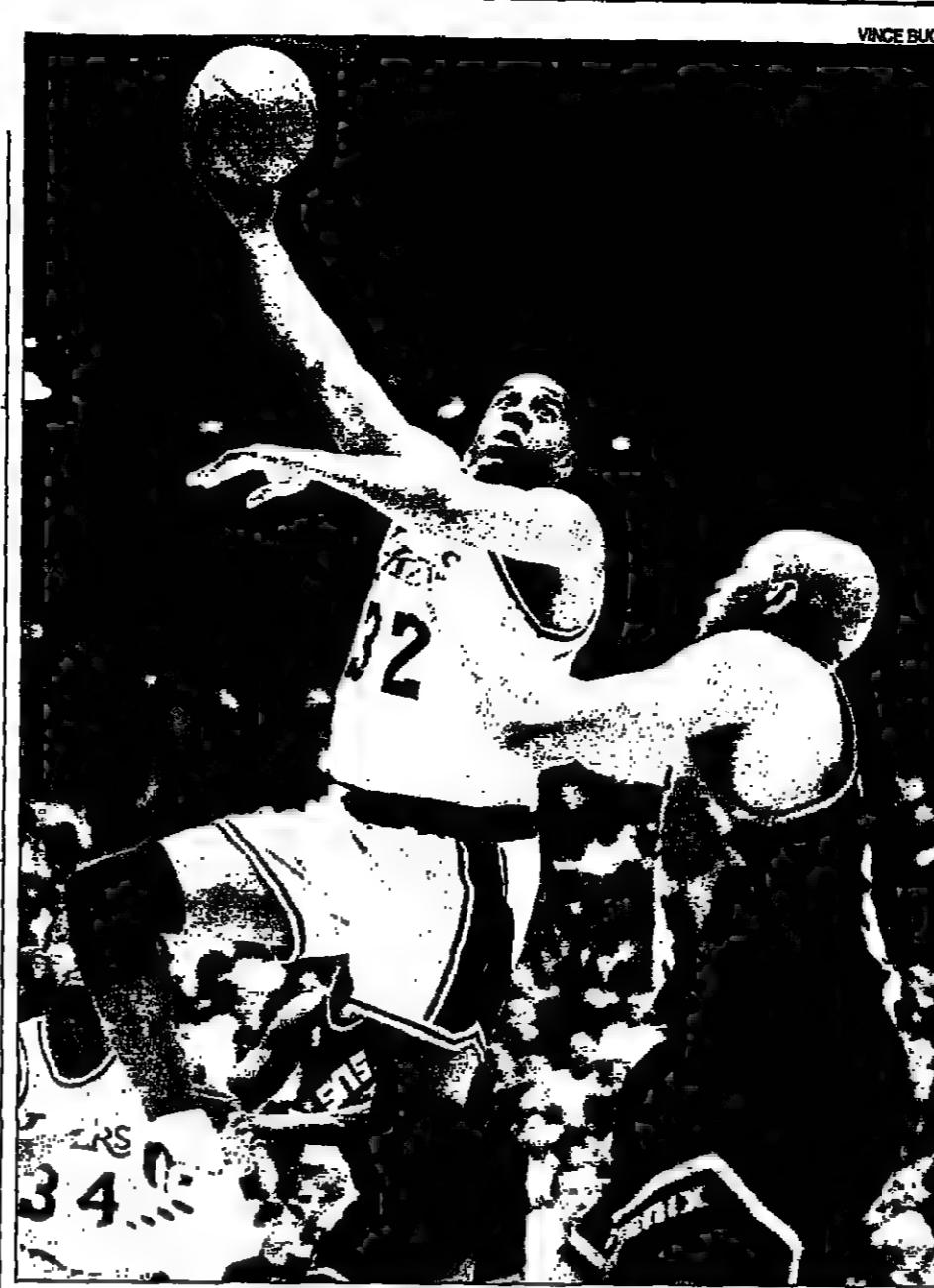
at home to Sampdoria last Saturday.

Enrico Chiesa, the Sampdoria forward, who is pressing for a place in the Italy side for European championship, scored once and created the other two goals, but the sounds emanating from the Juventus players give the game away: their minds, their priorities, their big bonuses, are geared to the European Cup, the final of which takes place in Rome on May 22.

Compounding the problems for Nantes is an ankle injury to Japhet N'Doram, their Chadian goalscorer. Furthermore, Reynald Pedros, the left winger, is suspended, so it is hard to envisage victory for the French side.

However, the French involvement is enviable. In the three European competitions, France has three semi-finalists. Tonight, Bordeaux, thanks to yet another away goal from Christophe Dugarry, defend their lead against Slavia Prague in the UEFA Cup. On Thursday, in the Cup Winners' Cup, Paris Saint-Germain, also a goal to the good, entertain Deportivo La Coruna, whose Brazilian forward, Bebeto, returned with two reportedly sparkling goals in the Spanish league last weekend.

So France is engaged on all fronts. England can boast no involvement... but wait: Bob Robson is a champion again. FC Porto, his club, have won the Portuguese league with several weeks and 14 points to spare.



Magic Johnson beats Charles Barkley, Phoenix Suns, before being ejected from the game, which Los Angeles Lakers won 118-114, for bumping into the referee

Strong finish brings bronze

FROM RICHARD EATON
IN HERNING, DENMARK

ENGLAND won the bronze medal at the European badminton championships here yesterday with a 5-0 win over Russia. It was a commanding performance, in complete contrast to their 5-0 defeat by Denmark on Sunday. England played as though they did not believe that they could test a strong Denmark side, but they tackled Russia with commendable determination. Peter Knowles won 15-8,

15-2 against Andrei Antropov, a former world quarter-finalist. It was so impressive a performance that it made one wonder why Knowles, the England No 2, does not beat good players as regularly as he has in the past three weeks. He has most of what he needs to succeed, apart, perhaps, from consistent temperament.

Joanne Muggeridge still has too little stamina, but she played with wrongfooting skill to win 11-6, 11-4 against Elena Rybikina, the only mother playing badminton at this level and the heroine in February when Russia unexpectedly reached the Uber Cup finals.

Simon Archer and Julie Bradbury won comfortably in the mixed doubles, providing just the start that England needed and failed to find against Denmark. "If we had been in the other group, I think we could have reached the final," Ciro Ciniglio, the England manager, said. "Next time, we should be, so I am particularly pleased with this bronze."

Strengthening the United States contingent.

The British entry is led by the four members of the team that won the gold medal at the European championships last year: William Fox Pitt (Cosmopolitan and Loch Alans), Kristina Gilford (Midnight Blue and General Jock), Mary King (King William and Star Appeal) and Charlotte Bathe (The Cool Customer).

The trials this year have attracted a high-quality field. The 107-strong entry includes Matt Ryan, of Australia, and Vaughan Jefferies, of New Zealand, the Olympic and world champions respectively, Lucy Thompson, of Ireland, the European champion, and Mark Todd, of New Zealand, a dual Olympic champion. Bruce Davidson, the winner last year, heads the United States contingent.

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Plans thwarted

Ice hockey: Twenty clubs omitted from the new Super League, are to set up their own competition, the two-division National League, starting in September.

Public inquiry

Rugby league: The Rugby Football League is to conduct an inquiry into recent public outbursts by players and coaches in which match officials have been criticised.

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Aidan Robertson has accepted an invitation to join Chambers upon completion of his pupillage. He is a former solicitor and fellow of Wadham College, Oxford, a contributor to the third edition of Wyatt & Dashwood's EC Law (1993) and is currently co-authoring the forthcoming second edition of Green's Commercial Agreements and Competition Law.

Chambers are also pleased to announce the appointment of Milly Ayilife, a solicitor previously in the shipping and aviation finance department at Norton Rose, as Practice Manager.

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THE TIMES TUESDAY APRIL 16 1996

RACING 45

Mezzogiorno to make classic point

BY JULIAN MUSCAT

THE Shadwell Stud Nell Gwyn Stakes at Newmarket today commemorates both the proper start to the Flat season and the close of the silly season. Over the last three weeks, speculators have indulged the ante-post classic market to dispel bouts of acute boredom. Such follies now return to haunt them over five hectic days of trials.

Supporters of Bosra Sham, Blue Duster and Bint Shadavid will be hoping today's encounter proves something of a phoney war — as it was 12 months ago, when Myself's victory only muddled the 1,000 Guineas waters. Conversely, it is the midnight hour for Mezzogiorno, one of 11 engaged in this, the first recognised stepping stone to the fillies' classic on May 5.

Mezzogiorno has something to prove in this league. She raced outside pattern company in three starts last season and was twice beaten. However, if the bare details are unconvincing, there was no hiding the promise of her second to Rio Duvida in a bonus-enriched contest over the course and distance in September.

True to form, Wragg was yesterday more hopeful than optimistic. "I'm hoping she will run a good race but she has not yet come in her coat," he said. "She will improve for it; I am not rushing her. Although she should stay 12 furlongs on paper, she takes a bit of a hold."

It will be deflating if she cannot confirm last season's superiority over. Honest Guest. The latter is closely matched with Bint Salsabil, who must concede 3lb all round. Bint Salsabil seems a touch short of the speed required over seven furlongs and the Oaks appears a more realistic target. The opposite is true of Maid For The Hills, Marl, My Melody Parks and Thrilling Day, who are all unproven beyond six furlongs.

There is more to come from the John Gosden-trained Darling Flame, a well-bred individual who disappointed when in season for the Lowther Stakes. But with her stable yet to peak, Wild Rumour appears more dangerous. She showed definite signs of ability in winning at Newbury and looks the principal threat to Mezzogiorno.

has the scope to further the sequence.

Mezzogiorno's precocity was a surprising feature of her juvenile campaign. She is by Unifruit out of Aigae, a High Top mare who traces back to classic middle-distance roots. A tall, unimpressive filly of considerable range, she very much appealed as one to progress over the winter.

RICHARD EVANS

Nap: LAKELINE LEGEND (2.00 Newmarket)
NB: Maid For The Hills (3.40 Newmarket)

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NEWMARKET

THUNDERER
3.40 Bint Salsabil
4.15 Sammarino
4.45 Welville
5.20 SACHO (nap)

The Times Private Handicapper's top rating: 3.05 PASSION FOR LIFE. Our Newmarket Correspondent: 2.00 Sasuru, 2.35 Omara.

2.30 MAID FOR THE HILLS (nap).

GOING: GOOD TO FIRM DRAW: NO ADVANTAGE

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2.00 CONSTANT SECURITY MAIDEN STAKES
(3-Y-O: 24.269; 1m 40) (11 runners)

101 (1) CHIEF CONTENDER (Abc) 2.00 Nell Gwyn 8-0 — J Reid
102 (2) 3- LAKELINE LEGEND 1.80 (1) Sunil M 4-0 — Bint Salsabil
103 (3) PETROLIO (Sulon A Kohel) 1. Cumst 9-0 — J Weaver
104 (4) DASDA (Shah Mohammed Abd Al-Majid) C British 9-0 — J M Kline
105 (5) 223- SASLU 214 (Lady Melody) G Wagg 8-0 — Pad Eddy
106 (6) VALENTINO (Cohesive) H Cest 9-0 — J M Kline
107 (7) 554- WILAWANDER 214 (Abc) 9-0 — J M Kline
108 (8) 554- ZAFURIN 1.23 (The Forum) L Montague Hall 5-0 — L. Holden
109 (9) 0- GLOWING STARS 171 (The Glowing Reeds) Partnership C Allen 8-4 C Webb (7)
110 (10) HIGHLAND GIFT (Lad's Wishes) H Son S. Winstanley 8-4 R Hughes
111 (11) BETTING: 11-4 Sasuru, 7-2 Shesha, Laker Legend, 1-1 Childs Content, 7-1 Wilmore, 8-1 Potash

112 (12) HIGHLIGHTER 9-0 W Ryan (5-5) W. Ryan 12-0

113 (13) 0- DEATH DEVIL 0-0 W. Ryan (10-5) W. Ryan 12-0

114 (14) 0- CHIEF CONTENDER (Abc) 2.00 Nell Gwyn 8-0 — J Reid
115 (15) 0- 3- LAKELINE LEGEND 1.80 (1) Sunil M 4-0 — Bint Salsabil
116 (16) 0- PETROLIO (Sulon A Kohel) 1. Cumst 9-0 — J Weaver
117 (17) 0- DASDA (Shah Mohammed Abd Al-Majid) C British 9-0 — J M Kline
118 (18) 0- VALENTINO (Cohesive) H Cest 9-0 — J M Kline
119 (19) 0- 554- WILAWANDER 214 (Abc) 9-0 — J M Kline
120 (20) 0- 554- ZAFURIN 1.23 (The Forum) L Montague Hall 5-0 — L. Holden
121 (21) 0- 0- GLOWING STARS 171 (The Glowing Reeds) Partnership C Allen 8-4 C Webb (7)
122 (22) 0- HIGHLIGHTER 9-0 W. Ryan (5-5) W. Ryan 12-0

BETTING: 11-4 Sasuru, 7-2 Shesha, Laker Legend, 1-1 Childs Content, 7-1 Wilmore, 8-1 Potash

112 (12) HIGHLIGHTER 9-0 W. Ryan (5-5) W. Ryan 12-0

FORM FOCUS

1.000 Sasuru, VALENTINO, Pad-brother, by Sir Apes, 8-0, 2nd in 1st race, 1st in 2nd race, 1st in 3rd race, 1st in 4th race, 1st in 5th race, 1st in 6th race, 1st in 7th race, 1st in 8th race, 1st in 9th race, 1st in 10th race, 1st in 11th race, 1st in 12th race, 1st in 13th race, 1st in 14th race, 1st in 15th race, 1st in 16th race, 1st in 17th race, 1st in 18th race, 1st in 19th race, 1st in 20th race, 1st in 21st race, 1st in 22nd race, 1st in 23rd race, 1st in 24th race, 1st in 25th race, 1st in 26th race, 1st in 27th race, 1st in 28th race, 1st in 29th race, 1st in 30th race, 1st in 31st race, 1st in 32nd race, 1st in 33rd race, 1st in 34th race, 1st in 35th race, 1st in 36th race, 1st in 37th race, 1st in 38th race, 1st in 39th race, 1st in 40th race, 1st in 41st race, 1st in 42nd race, 1st in 43rd race, 1st in 44th race, 1st in 45th race, 1st in 46th race, 1st in 47th race, 1st in 48th race, 1st in 49th race, 1st in 50th race, 1st in 51st race, 1st in 52nd race, 1st in 53rd race, 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Dear Claire, why do we still love royalty?

On the rare occasions that I have considered the individuals who might one day bring about the fall of the British monarchy, the name of Claire Rayner has never featured large. In fact, it has never featured at all. Tony Benn, the Prince of Wales, Rory Bremner maybe, but Rayner never.

Yet there she was, imperiously installed on an open-top double-decker bus boldly claiming rebellion. It was time, declared the nation's most-lampooned agony aunt, for us to put away childish things. "We grow out of believing in fairies and Father Christmas, it's time we grew out of believing in princes and princesses."

This was one of several curious images furnished by last night's *World in Action* (ITV), which set out to show that "most people" want to scrap the monarchy but never quite managed it. For along with Rayner and her bus (a latter

day Boadicea and chariot perhaps) we had red-nosed republicans preaching treason over the perfunctory in Soho and, most strangely of all, a Jacuzzi full of naked Welsh republicans happily splashing their way to a more meritocratic future. If this was republicanism, long live Her Majesty.

But this, of course, was not republicanism. This was a first stab (et tu BBC?) at a subject that until recently has virtually been a no-go area for the British media. Softee softie catcher monarchs was the approach, but there was no denying the impact of watching the unsayable finally being said.

Unfortunately (at least for roundheads) all these brave words were backed by rather less convincing statistics, culled from a specially commissioned opinion poll. This produced inconvenient findings such as the fact that 62 per cent of people want to keep the monarchy and that 47 per cent

believe that Prince Charles will make a good King, although I noticed they did not specify of which country. The debate will rage on, but not here. All those in favour of moving swiftly on say aye. The ayes have it.

The producers of *Bramwell* (ITV) may pride themselves on the stomach-churning authenticity of their blood and gore, but they do a lousy train crash. In last night's opening instalment, the Doctors Bramwell (father and daughter) took a ride on one of those new-fangled underground railways. Disaster, of course, was imminent. Suddenly a bag of tomatoes burst open, someone's spectacles fell off and... well, that was about it.

Darkness descended (perhaps to hide the blushes of the special effects adviser) but amid the gloom it was just possible to assess the damage. One elderly gent was dead (presumably

struck on the temple by a flying tomato) and the bad-hat in the dangerously sharp suit (Tom Georgeson) had his leg trapped in the wreckage. Inevitably, there was only one thing for it. The leg would have to come off.

Now, if there is one thing that the producers of *Bramwell* excel at it is amputations. Gashly sound effects, fountains of blood and not quite subliminal images of bones

being sawn through — they have it down to a distressingly horrible art. Just to tighten the touriquet, last night there was no anaesthetic and Dr Bramwell père (David Calder) had broken his sawing arm. Adopting that determined look, Dr Bramwell fille (Jennina Redgrave) rolled up her sleeves. "You have to be very brave," she said in that patronising way that seems certain to earn her a smack on the nose before the series is out. I am afraid I wasn't.

Nothing new about that and precious little new I'm afraid about the second series of *Bramwell*. Its irritating theme tune may have been more pleasingly reworked, but there is still an imbalance between period detail and plot (masses of the former, not much of the latter) and a gaping hole where Eleanor Bramwell's character should be. Romantic help, we are told, is on its way. Let's hope he has a strong stomach.

For some reason known only to themselves, the good folk at Channel 4 have decided that the 60 minutes after 9pm on Monday night is to be municipal hour. First up we had a short oral history of the London Fire Brigade in Rescate followed by a fly-on-the-roof extension look at planning officers in the leafy London borough of Richmond-upon-Thames in *An Inspector Calls*. The combination sounded dull, but it wasn't at all.

Two powerful stories were told in *Rescue*. One was all too familiar — the horrific fire at King's Cross underground station in 1987. The second, rather less so, in the 1958 when the fat-soaked, cork-lined celars of Smithfield poultry market caught fire and burnt for four days and nights. Two firemen died on the first day and firefighting techniques were never the same again. According to the grimly fascinat-

ing accounts of those who fought the Smithfield blaze, the fire marked the end of the "smoke-eater", a fireman who took pride in getting to the seat of a fire, regardless of the danger to life, limbs or lungs. Nevertheless, as the programme showed, firefighters still face very similar problems at King's Cross.

Planning officers also take risks, as Alan Halfpenny, the tough-talking leader of Richmond's planning enforcement team, made clear. Planning disputes can and do get very heated, he said, "if we have to knock down an extension then, I'm sorry, but we're going to knock it down". Unfortunately for Halfpenny, the only unwitting risk he had taken in agreeing to make this diverting little programme was that of being horribly upstaged by an extraordinary bouncing dog in a car parts shop. Don't worry if you didn't see it, you will, you will.

REVIEW



Matthew Bond

BBC1

8.00am *Business Breakfast* (21784)
7.00 *BBC Breakfast News* (Ceefax) (52055)
9.00 *Breakfast News Extra* (Ceefax) (788448)
8.20 *Can't Cook, Won't Cook* (s) (793120)
9.45 *Kilroy* (s) (1164603)
10.30 *Good Morning with Anne and Nick* (s) (61149)
12.00 *News* (Ceefax) regional news and weather (6794413) 12.05pm *Room for Improvement* (s) (4556503)
12.35 *Going for Gold* (Ouz) hosted by Henry Kelly (s) (3796081)
1.00 *One O'Clock News* (Ceefax) and weather (55124) 1.30 *Regional News* and weather (9445158)
1.40 *Neighbours* (Ceefax) (s) (44547622)
2.00 *Film: Murder on Sycamore Street* (1992) with Dick Van Dyke. Dr Mark Sloan is suspicious about the apparent suicide of a plastic surgeon colleague. Directed by Christian I. Nyby II (Ceefax) (90121)
3.30 *Playdays* (r) (s) (1686516) 3.50 *Monster Cafe* (r) (s) (889233) 4.05 *Casper Classics* (r) (s) (7100992) 4.10 *Dennis the Menace* (Ceefax) (s) (2876003) 4.35 *Our Tune* (Ceefax) (s) (9302413)
5.00 *Newsworld* (Ceefax) (1988264)
5.10 *The Lowdown* (Ceefax) (s) (1011988)
5.35 *Neighbours* (r) (Ceefax) (s) (541448)
6.00 *Six O'Clock News* (Ceefax) and weather (553) 6.30 *Regional News* (887)
7.00 *Holiday*. Reports from Namibia, Norway, Greece, and Snowdonia (Ceefax) (s) (9061)
7.30 *EastEnders*. (Ceefax) (s) (871)
8.00 *Streetwise* Great Ormond Street (Ceefax) (2581)

8.30 *The Brittas Empire*. Brittas believes that swimming with Wally the dolphin will bring peace, relaxation and happiness to the citizens of Whitby. (Ceefax) (s) (4516)

9.00 *Nine O'Clock News* (Ceefax) regional news and weather (2326)

9.30 *Men Behaving Badly: Pornography*. Tony is forced to choose between his new girlfriend and his soft-porn magazine (r) (Ceefax) (s) (53887) **WALES** 9.30 *Welsh National Opera* — 50th Anniversary (80061) 10.30 *Cardiac Arrest* (47559) 11.30 *Men Behaving Badly* (7671) 11.30 *They Think It's All Over* (17448) 12.00 *Film: The Hillside Stranglers* (77185)

10.00 *Cardiac Arrest: The Practice of Privacy*. Best of the current medical drama series (3/13) (Ceefax) (s) (15581)

10.30 *They Think It's All Over*. Sports game show with Nick Hancock, David Gower, Gary Lineker, Roy McGrath and Lee Hurst, plus guests (Ceefax) (s) (47558)

11.00 *Film: The Hillside Stranglers* (1989) with Richard Crenna. Ten young women have been murdered and their bodies dumped. A detective becomes obsessed with bringing the killer to justice. Directed by Steven Gethers. (Ceefax) (s) (61516)

12.30am *Film: Apartment Zero* (1988) with Colin Firth and Dora Bryan. A serial killer is on the loose in Buenos Aires. Directed by Martin Donovan (Ceefax) (50633)

2.30am *Weather* (3879630)

VideoPlus+ and the Video PlusCodes

The numbers next to each TV programme listing are VideoPlus+ numbers, which allow you to programme your video recorder instantly with a VideoPlus+ handset. Tap in the VideoPlus+ code for the programme you want to record. **PlusCode** (1) with **VideoPlus+ and the Video Programmer** are trademarks of Gemstar Development Ltd.

BBC2

6.00am *Open University: Diabetes — Restoring the Balance* (761258) 6.25 *Animal Physiology* (7624939) 6.50 *Minerals Under the Microscope* (8086535)

7.15 *See Hear Breakfast News* (4792158)

7.30 *Teenage Mutant Hero Turtles* (r) (Ceefax) (46448) 8.00 *Blue Peter* (r) (Ceefax) (1308254) 8.25 *Osode Doko* (r) (s) (2977090)

8.40 *The Record* (6523245)

8.05 *Daytime on Two*. Educational programme Plus, for children, 10.00-10.25 *Playdays* (6886718)

2.00 *Osode Doko* (r) (s) (75995526)

2.10 *The Andrew Neil Show* (50303500)

3.00 *News* (774918) 3.05 *Westminster with Nick Rose* (Ceefax) (s) (7722933) 3.55 *News* (299332)

4.00 *Today's the Day* (s) (500) 4.30 *Ready, Steady, Cook* (s) (784)

5.00 *The Oprah Winfrey Show* Susan Sarandon and Tim Robbins are the guests. (Ceefax) (s) (8182149)

5.40 *Ladies of the House* (Ceefax) (994595)

6.00 *Fresh Prince of Bel Air* (s) (4472233)

6.25 *Heartbreak High*. High school drama from Australia. (Ceefax) (s) (425448)

7.10 *The Ren and Stimpy Show* (1989933)

7.30 *The Technophobes' Guide to the Future*. A look at how technology is shaping people's lives (s) (413)

8.00 *Watch the Works: All Fall Down* (s) (6351)

8.30 *Food and Drink*. Antonio Carluccio is in Liguria, north-west Italy. He cooks a Mediterranean red mullet and spaghetti (Ceefax) (s) (2158)

9.00 *Murder One*. Chapter Seven. Legal drama following a high profile case from inside and outside the courtroom. With Daniel Stoen (Ceefax) (s) (234910)

9.45 *The Diane Modahl Show*. Update. The athlete and her coach reflect on the past year and tell of the battle to clear her name (r) (Ceefax) (s) (23428)

10.00 *Newsworld*. With Jeremy Paxman (Ceefax) (515177)

11.15 *Moving Pictures*. Film magazine presented by Howard Schuman. With a big-budget production of *Richard III* waiting in the wings, David Stenton takes a light-hearted look at the pitfalls of bringing the Bard to the screen. Andy Garcia and Treat Williams reveal why they queued up to star in *Things to Do in Denver When You're Dead*, by first-time director Gary Fleder and screenwriter Scott Rosenberg (127142)

12.00 *The Midnight Hour* with Lesley Riddoch. Political chat show (s) (33494)

12.30am 6.00 *The Learning Zone*

CHOOSE

5.40 *Baroness Barbara Castle* (5.40pm)

HTV

8.00am *GMTV* (7901644)

8.25 *Win, Lose or Draw* (s) (7029428)

8.55 *Regional News* (Teletext) (677098)

10.00 *The Time... the Place* (s) (2449061)

10.25 *This Morning* (4424905) 12.20pm *Regional News* (Teletext) (6790697)

12.30 *ITN News* and weather (Teletext) (379915) 12.55 *Shortland Street* (s) (3707115) 1.25 *High Road*. (Teletext) (s) (6530719) 2.00 *Home and Away* (Teletext) (s) (54565784)

2.25 *Chain Letters*. Word game. (Teletext) (s) (4984983)

3.20 *ITN News* headlines (Teletext) (7758448)

3.25 *Regional News* (Teletext) (6771519)

3.30 *The Magic House* (s) (884603) 3.40 *Tots TV* (s) (706974) 3.50 *Scooty and Co* (r) (s) (152050) 4.15 *Animaniacs* (Teletext) (s) (2797142) 4.40 *Island*. (Teletext) (s) (5655953)

5.10 *ITN News* (Teletext) (5655953) 5.15 *Forgotten Ports*. A cruise up the Bristol Channel with Sir Robin Knox-Johnston and "Spud" Speeding (1674090)

5.40 *ITN News* and weather (Teletext) (334245) 5.55 *Your Shout* (255790)

6.00 *Home and Away* (r) (Teletext) (s) (603)

6.25 *ITV West News* presented by Bruce Hockin and Sue King. (Teletext) (609968)

7.00 *Emmeline*. (Teletext) (s) (1429)

7.25 *West Eye View*. Current affairs series. (Teletext) (233)

8.00 *The Bill*. Loxton finds himself in political hot water when he arrests a black man he suspects is a mugger. (Teletext) (1167)

8.25 *Home and Away* (s) (2170177)

8.30 *ITV West* except:

5.10pm 5.40 *On the Road with Elinor* (1674090)

8.25-7.00 *Wales Tonight* (509668)

7.30-8.00 *Homeground* (239)

HTV WALES

As **HTV WEST** except:

5.10pm 5.40 *On the Road with Elinor* (1674090)

8.25-7.00 *Wales Tonight* (509668)

7.30-8.00 *Homeground* (239)

WESTCOUNTRY

As **HTV West** except:

SPORT

TUESDAY APRIL 16 1996

Champion follows courage of his convictions to sixth major triumph

Faldo reaps Master's reward

FROM JOHN HOPKINS
GOLF CORRESPONDENT
IN AUGUSTA

IN THE clubhouse of the Augusta National Golf Club, where he attended the champion's dinner on Sunday night, Nick Faldo will have reflected on the extraordinary achievements of the day that was drawing to a close. Amid the excited buzz of conversation from the members in their green jackets, he must have marvelled at his own performance in winning his third Masters. No less, however, must have been his bewilderment at the stunning collapse of Greg Norman, who had been alongside him throughout the afternoon.

Yet Faldo, of all people, should have known that his victory in the sixth Masters would never be run-of-the-mill, because his victories in major championships rarely are. Faldo has an enormous talent to play golf and a scarcely smaller talent to be the central figure in events

Norman's seizure 46
Major near-misses 46

that are tinged with a significance that borders on the controversial.

It took 18 pars for Faldo to snatch victory at the Open Championship in 1987. In Faldo's first Masters victory, in 1988, Scott Hoch missed a tiny putt in the play-off and, at Muirfield in the 1992 Open, although Faldo birdied two of the last four holes to win, his victory is remembered by some as the Open at which John Cook missed a short putt on the 17th and then bogeyed the 18th.

Nothing matched the demeanour that both Norman and Faldo showed in the aftermath of one of the most astonishing afternoons seen here. At the tournament devised by Bobby Jones, the most gentlemanly of sportsmen, Norman gave a remarkable demonstration of grace under pressure. Rarely, if ever, can a man have endured such a calamity with such panache. Norman is the most gracious loser in sport, not just golf.



Ben Crenshaw leads the applause for Faldo, his successor as Masters champion, during the post-tournament presentations at Augusta

MAJOR CHAMPIONSHIP WINNERS

Total	Player	Open	US Open	US PGA	Masters
10	Jack Nicklaus (US)	3	4	5	6
9	Walter Hagen (US)	4	2	3	5
9	Ben Hogan (US)	1	4	2	2
8	Gary Player (SA)	3	1	0	3
8	Tom Watson (US)	3	1	0	2
7	Bobby Jones (US)	3	4	0	4
7	Arnold Palmer (US)	2	1	0	1
7	Gene Sarazen (US)	1	2	2	1
6	Sam Snead (US)	1	0	2	3
6	Nick Faldo (GB)	3	0	0	0
6	Lee Trevino (US)	3	2	0	0
6	Harry Vardon (GB)	5	1	0	0

Nicklaus also won two US Amateur Championships, Jones also won five US Amateur Championships and a British Amateur Championship, Sarazen won a US Amateur Championship

—

Faldo did not neglect to congratulate himself, as he deserved after scoring the lowest round — a five-under-par 67 — of the fourth and final day, but he did so with an assured touch that did not encourage thoughts of immodesty. "I am sure it [Greg's collapse] is a major part of the story, but I strung together four good rounds and you can't take that away from me," he said. His words of comfort for the Australian and the sight of the men hugging each other on the last green after Faldo's five-stroke victory were made all the more poignant by the knowledge that they did not particularly like one another.

Faldo's sixth victory in a major championship confirmed again that, in matters to do with himself and his golf, he knows best. Many times, he has come to a crossroads in his career. At such times, the young man who would paint nail varnish on his thumbnails to ensure the correct putting grip, who would practise his putting on the linoleum of his parents' house because that was the nearest he could get to fast greens, who walked away from a golf scholarship to a university in the United States to almost universal criticism, has known which turning to take and been proved right.

In 1994, Faldo made up his mind to spend more time on the United States tour to improve his career. He quit England in a flurry of hostile remarks about poor greens and an outburst against the press. Once again, he has been proved right. His play was as solid as a rock on Sunday. He hit the ball into the correct

places at the right time and the highlight of his afternoon may have been a two-iron from a difficult lie on the 13th. Faldo might not have won his sixth major had he stayed in Europe.

These days, Faldo is more relaxed. I know him well, but he retains the ability to take me by surprise. For years, he has been stone-faced on a golf course, seemingly putting everything into his concentration and acknowledging nobody. At The Players' Championship last month, walking to the tee, he saw me, looked startled and said: "Hello Mr Hop. How are you? All right?"

For Faldo, who will be 39 in July, this could mark the start of another period of dominance. The man who was no

better than 18-1 before the Masters is certain to be a very sharp price for the next few majors. He has the game, having added length to his armoury and improved his putting. His physical fitness, courage and desire have never been in doubt. Of the Europeans, only Colin Montgomerie has contended as well in the two remaining major championships held on this side of the Atlantic. Montgomerie and Faldo have each taken part in one play-off for a US Open. Montgomerie lost in a play-off for the US PGA Championship last year while Faldo, the runner-up in the 1992 US PGA, got to within one stroke of joining Paul Azinger and Norman in a play-off for the same championship one year later.

Faldo has now passed the five major titles held by Severiano Ballesteros and is approaching Tom Watson's total of eight — the last of which was 13 years ago. Happily settled with Brenda Copplak, his new companion, after two marriages, he is entering a new phase of his life that could bring him more major titles. He once spoke of how, in years to come, he wanted people to say "I saw Nick Faldo play golf. He was quite something". He is doing everything to make sure that happens.

England ready to risk jewel in rugby's crown

BY DAVID HANDS, RUGBY CORRESPONDENT

THE Rugby Football Union (RFU) will discover today the degree of offence taken by its home union partners after the disruption of talks over a new television contract for the five nations' championship. However, a statement from the five nations, while being critical of England's go-it-alone posture, is likely to stop short of punitive measures.

There is no doubt the anger that unites the Celtic nations against England. "The stupidity of one country is threatening the whole five nations' concept," one leading Welsh official said. Wales, Scotland and Ireland — ironically, all united with England on the top table at the launch in Cardiff of the 1999 World Cup campaign yesterday — seek equal shares in the new television contract, as in the past, while England believe that they are entitled to the majority share.

England's stance, though well flagged at the last television negotiations three years ago, is also directly linked to the dispute between

World Cup draw 44

the RFU and its leading clubs. If the RFU can point to a substantial television deal which would also help to defray the debt on the refurbished Twickenham, it would be a big incentive for clubs to remain under the union's umbrella.

Talks between the warring parties have yet to resume, but, yesterday, the Welsh gave England's clubs a vote of confidence. "We are rock solid behind them," Peter Thomas, of Cardiff, the chairman of the Welsh first division clubs, said. "There has never been a stronger bond between us."

Tony Hall, the RFU secretary, said a "substantial majority" of his committee had favoured single-handed negotiation over television rights. "The reason for England wanting more of the cake is that we have more mouths to feed," Hall said. "More clubs, schools, student bodies, greater development and promotion costs. I believe everyone should negotiate their own way in this new high-tech era. In a few years' time, I am sure people will be surprised that each country did not handle business for itself."

Maybe so, but, by then, there may be no five nations' either — the tournament that the southern hemisphere is so envious of and which English officials still describe as the "jewel in the crown".

There has been talk of expulsion and a possible knock-on effect for the 1999 World Cup when England are due to host 13 games with both semi-finals staged at Twickenham. Such talk is somewhat wild, though each of the other unions could decide to break off international relations with England. There is a precedent for expulsion, that of France in the 1930s, for infringing the amateur regulations.

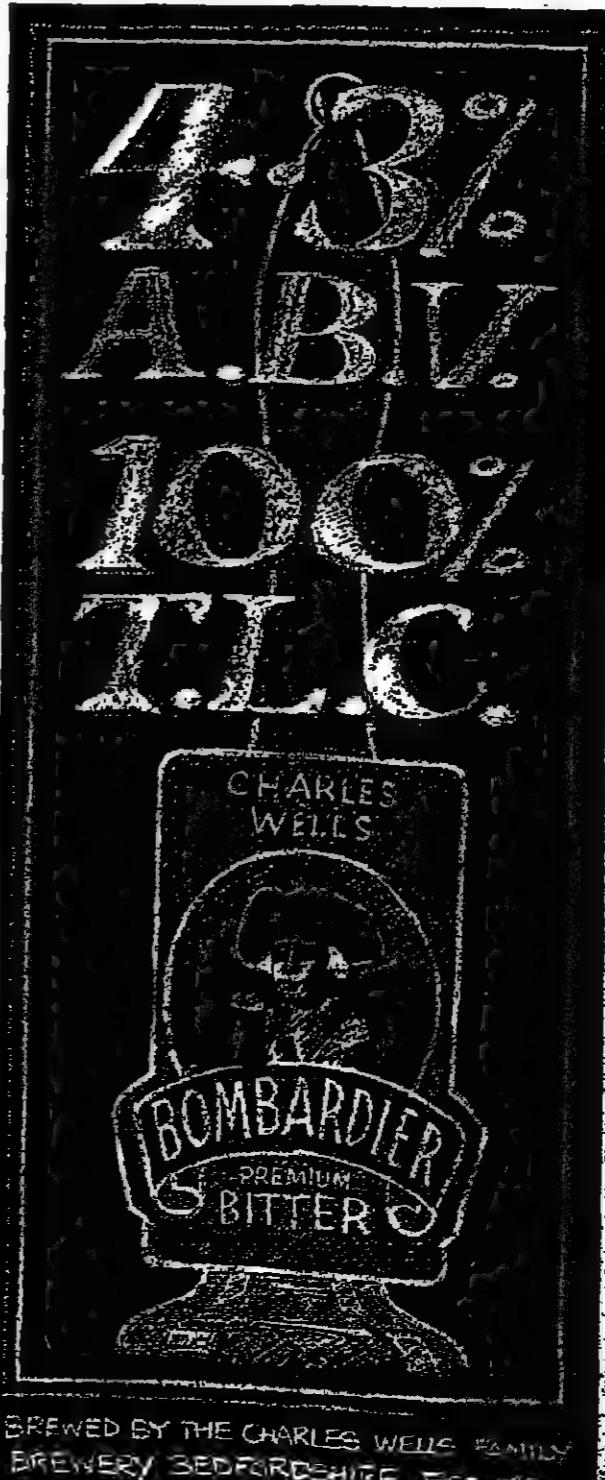
Though Wales are to host the World Cup, arrangements for that tournament are in the hands of Rugby World Cup Ltd (RWC) and localised disputes should not necessarily impinge upon a global event.

Tom Kiernan, the Irish chairman of the five nations' committee, said: "I don't think Ireland would be happy if circumstances arose in which they were asked to stage extra World Cup matches [if they were taken away from England], although I am sure all countries would if RWC asked them to."

England's contention is that a television package, involving both terrestrial and satellite companies, would benefit all. "We are in full support of the five nations," Hall said, to which the other countries might suggest that England have a curious way of showing it.



The Times cricket game returns this summer in an exciting new format and with a first prize of £10,000. Full details of how to play Interactive Team Cricket will be published in a 16-page guide on Monday. Make sure of your copy of The Times, the paper for cricket.



Rush aims for glorious swansong

BY PETER BALL

football, so, hopefully, we can get stuck in and football will come out on top."

After playing twice in three days over Easter, Ferguson suffered a recurrence of his groin strain to set the alarm bells ringing at Goodison Park and at the Scotland headquarters. With Everton suffering an injury crisis among their strikers this week

Rideout is definitely missing and Amokachi is also facing a fitness test — Ferguson is likely to play.

"We're constantly in touch with the specialist, and the last time he saw us he felt there was no need for anything

Ipswich to take action

IPSWICH Town are determined to prevent a recurrence of the crowd trouble that marred their victory over Norwich City at Portman Road on Sunday. David Sheepshanks, the club chairman, said: "We must make sure that there is no repeat at our final home games, against Huddersfield and Millwall, or we might face serious trouble."

"We are hoping that the allegations are not proven, but if they are, we will get to the bottom of the problem," Sheepshanks said.

The Football Association is awaiting reports on the alleged incidents.

more than what we are doing, which is resting between games," Royle said. "That was vindicated when he played two games in three days, but the worry has now come back a little bit, because he hasn't trained since the last game."

"We will certainly know by the end of the season which course we are taking — whether he carries on as he is, or has a complete summer's rest, or something else. I'm in touch with Craig Brown [the Scotland manager] about it, and we'll have to wait and see, but the priority is Everton."

Strikers apart, both clubs claimed that there is much to

play for this evening, with Liverpool having an outside chance of the championship, and Everton's hopes set on a UEFA Cup place. Manchester United's defeat against Southampton on Saturday gave Liverpool limited optimism: Nick Faldo's triumph in Augusta the next day provided Rush and Roy Evans, the Liverpool manager, with a timely example.

"We've still got an outside chance of the championship, we haven't thrown the towel in yet, it would be daft to do so," Evans said yesterday. "It's probably fair to say that we have more chance at this point than Faldo had when he went out on Sunday. It just goes to prove that it's never over until the fat lady sings — but first you've got to find the fat lady."

With Everton winning the four derby games since Royle took over, the balance in the contest has tilted, if not yet the balance of power in the land. "When I came here, we were eight points away from a safety position," Royle said. "Now, we're closer to them, and I expect to be up alongside them next season."

Overseas football, page 43

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Low-caste Indians give glory to Bandit Queen

Stalin's Trojan loot on show at last

SOME of the greatest treasures of the ancient world — more than 250 items of Trojan gold — went on show in Moscow yesterday more than half a century after they were looted from defeated postwar Germany and hidden by Stalin.

"Schliemann's Treasure", a collection of gold jewellery and ornamental artefacts dating back more than 4,000 years, went on display at the Pushkin Museum, sparking international interest and outcry in equal measure.

The exhibition will be welcomed by historians and archaeologists around the world, who have had to wait since 1945 to see the collection. But its appearance will also intensify the furious custody battle between at least four countries and a number of private individuals who all claim ownership.

Among the items on display are two stunning golden diadems in almost perfect condition; dozens of delicately crafted earrings, necklaces and bracelets; a collection of ornamental axe-heads in polished stone and a magnifying glass and crystal lenses.

The collection was assembled by Heinrich Schliemann, a self-made German entrepreneur and adventurer who was fascinated from childhood by the story of Troy. After making his fortune he set off for Asia Minor in the 1870s to become one of the most celebrated and controversial archaeologists in history. He is credited with rediscovering the lost remains of Troy and unearthing spectacular finds.

However, he is also guilty of falsifying the results of his digs by placing the artefacts in Homeric Troy, when in fact they belonged to a Bronze Age civilisation more than 1,000 years older.

Schliemann smuggled his treasure out of Turkey without the consent of the Ottoman authorities, causing an ownership battle which has become more confused and heated a century later.

Richard Beeston in Moscow views the Schliemann Treasure, which is going on public exhibition for the first time since the end of the Second World War

The treasure was donated to Berlin's Museum of Prehistory and Early History, where it remained until the Second World War when valuable exhibits were stored in a concrete bunker near the city.

After the fall of Berlin in 1945 the collection was captured by special "trophy" units of the Soviet Army which stole hundreds of thousands of valuables from Germany and brought them back to Russia.

Since then the German Government has insisted on the complete return of the Schliemann collection and hundreds of missing masterpieces from its museums and galleries.

"Under its international treaty obligations Russia is compelled to return all these items to their rightful owners," said Ernst-Jörg von Studnitz, the German Ambassador to Moscow, who cited the Hague Convention and a

recent bilateral agreement between Bonn and Moscow.

However, the picture is further clouded by rival claims from Turkey and Greece that they are the cultural inheritors of the ancient Trojan civilisation.

Some of Schliemann's descendants from his first marriage to a Russian merchant's daughter in St Petersburg have also entered the dispute, claiming that their ancestor never intended his collection to remain in a museum and challenging the authorities to prove ownership.

Yevgeni Sidorov, the Russian Minister of Culture, said yesterday that the future status of the Schliemann collection and other archaeological and artistic works currently in Russian hands would be decided after parliament passes a new law on "trophy art" to be debated next month.

Nevertheless, the row is likely to continue for decades ahead, particularly since in Russia there is little sympathy for returning any booty to Germany, given the destruction of so much of the Russian cultural heritage during the Nazi invasion.

Irina Antonova, the director of the Pushkin Museum, made it clear what she and millions of other Russians feel is the only just resolution, regardless of what is stipulated by international treaties. "Dictators and conquerors must know that they will pay for their crimes with the lifeblood of their people," she told *Stern* magazine. "Only in this way will we perhaps stop a future Hitler."

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Horror film blamed for family murders

FROM BEN MACINTYRE IN PARIS

King Clovis is the toast of far Right

FROM BEN MACINTYRE IN PARIS

A FRANKISH king who converted to Christianity 1,500 years ago and defeated the Visigoths to become the "Father of France" has been hijacked as a nationalist symbol by the extreme Right.

King Clovis was baptised at Rheims around 496, thus becoming the first Christian monarch in Western Europe. To mark the 15th century of his conversion, 1996 has been declared the "Year of Clovis" by French Roman Catholics.

But much to historians' anger, Clovis, founder of the Frankish monarchy, has been adopted as a figurehead by the extremist National Front, led by Jean-Marie Le Pen.

At the weekend 3,000 people attended a Clovis rally organised by a Catholic group closely linked to the National Front. M. Le Pen's speech favourably comparing "the France of Clovis and Charlemagne" with "the France of Mitterrand and Chirac" was cheered loudly. A picture of the fifth-century king has already replaced Joan of Arc on the party's newspaper.

Raul Girardet, a historian, said the Front's enthusiasm for Clovis is "one of its new efforts to personify French nationalism".



Sigourney Weaver as she appeared in *Copycat*, a film about a serial killer who copied murders

who had hanged herself in the stairwell, according to the police. He had been strangled and then hanged. Traces of drugs were found in the victims' bodies, indicating that they may have been sedated before they were killed.

On April 7, Adam told friends that he was going to see *Copycat* with his family that evening and police officers searching the murder scene found tickets for a Paris cinema where the film is showing, *France Soir* reported yesterday.

M. Zakrzewski and his elder son were killed that Sunday night or early the next day, according to early forensic science results, while Mme Zakrzewski and the younger boy appear to have died a little later. The bodies were found on the Tuesday.

The Zakrzewskis emigrated to France from Poland in the early 1970s and set up an award-winning architecture firm, PLI. Friends said that the family was well off and did not appear to have any marital problems.

Child killed: An unnamed woman was arrested in Paris on suspicion of beheading her four-year-old son, named as Wissam, with a kitchen knife on Sunday. (AFP)

Baku leader seeks rivals' extradition

FROM THOMAS DE WAAL IN MOSCOW

PRESIDENT ALIYEV has cemented his grip on power in Azerbaijan with the arrest of two potential rivals in Moscow and his request yesterday for them to be extradited.

Ayaz Mamedov, who was Azerbaijan's first post-Soviet President in 1990-92, and Rahim Hazine, the republic's military strongman for several years, have been accused of numerous crimes and could face the death sentence if they are sent back to Baku.

"Negotiations have been going on for a long time over the detention of these men," said a spokesman for the Azerbaijan Embassy in Moscow. Both are wanted in connection with alleged coup attempts in October 1994 and March 1995. In addition, Mr Hazine is held responsible for a string of military defeats over the disputed enclave of Nagorno-Karabakh.

The two have been living in Moscow for several years and it is not yet clear what has persuaded the Russians to arrest them now. Relations with Azerbaijan have been strained by a dispute over the routing of an oil pipeline and the arrests may be part of a wider political deal.

Left boosted as Berlusconi's 'Red scare' tactics backfire

FROM RICHARD OWEN IN CASTELLAMMARE DI STABIA

Britain's Labour Party is about to displace the Conservatives.

Signor Prodi said: "All Europe has had left-wing governments. Only in Italy is the Left excluded from power."

Rightwingers retort that the "Communists" have not changed their spots, and need a respected economics professor like Signor Prodi to front.

The election could hinge on which "front man" voters trust more. Signor Prodi speaks with a lisp and radiates decency rather than charisma. But by yesterday he was looking more confident. His TV style has improved. Signor Berlusconi, who owns three TV channels, is a master of the medium; an exasperated Signor Prodi once rashly compared his media skills to that of Goebbels. But Signor Berlusconi has begun to look less assured on the small screen.

In the South all calculations could be upset by a force not up for election: the Mafia. At Castellammare, Signor Prodi vowed to take on both unemployment and the Mafia if he wins, arguing that there is a clear link between organised crime and the insecurity of the jobless". But the Mafia remains powerful, and is likely to "make its preferences known" before the vote.

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PERSON TO PERSON

Wounds a doctor cannot heal

Stable on the outside, torn within — a psychologist with troubles of her own talks to Mary Riddell

THE psychiatric unit looked much the same. The lurid green painwork, the cloyingly sweet smell of the corridors, the crimson medicine in plastic beakers — all of these were unaltered. Only she had changed.

Dr Lauren Slater, a Harvard-trained psychologist and award-winning essayist, had been summoned for a routine case meeting on a newly referred patient. She had not visited Mount Auburn Hospital, Massachusetts, in six years, but every detail remained eerily familiar.

In particular, she remembered the conference room. She sat behind the table that day, composed and business-like and making dutiful notes, but the chatter of her colleagues was blurred by the voices of the past.

Lauren Slater was sitting in the same chair in the same room, only now she was 14. Blood still seeped from the cuts she had hacked into her arms with razor blades, and her mother was screaming that she would be fostered out because she could stand her behaviour no more.

Lauren, as usual, said little, for she had found other means of articulating her pain. The stash of pills, stored up for suicide attempts, the self-mutilation, the starvation, the bulimia — an armful of useless defences against a childhood scarred by misery.

She was, her doctors said, on the borderline of madness. A victim who was to spend the next nine years shuttling in and out of the psychiatric unit



Bearing the scars: Dr Lauren Slater, who escaped from the borderline of madness, but who admits she is still as vulnerable as the patients she treats. Photograph by Des Jenson

of Mount Auburn. A child so damaged that it seemed she might never make her way in the world. That she did so is extraordinary. But more unusual still is the fact that Dr Slater, smart, respected and professionally secure, should

choose to reveal that her own mental state was, and sometimes still is, as fragile as that of the patients she treats today.

There is, at first meeting, scant sign of that vulnerability. She is a tiny, red-haired woman of 32, newly arrived on

the night flight from Boston and tucking into a meal of scrambled eggs and mushrooms to brace herself for the first wave of publicity for the book she scarcely dared to publish.

A moving collection of essays about her relationship with her patients, it reflects an extraordinary empathy with the pain and struggle of the male schizophrenics she treats. It is only in the final chapter that she reveals the source of her affinity to the mentally ill.

Oscar, the catatonic over-eater. Peter, the sociopath obsessed with pornography, and the rest of her cast are not merely fodder for a psychologist's jottings.

She is one of them — as mentally battered and confused and broken as they are. From early childhood, she now believes, it was decreed that she would be so.

"Mine was a regular middle-class upbringing. We lived in a nice suburb with a lot of

ranch houses until I was 11 and my father inherited his family's real estate business. Then I couldn't believe how rich we were. We had 17 rooms and maids. From the outside, it was really privileged."

Her mother, she says, has always maintained that she was simply an impossible child to deal with. Either way, by her early teens, Lauren was routinely slashing her body with razors. I just walked into the bathroom and did it.

"I had suicide all planned out and the pills stashed away — over-the-counter sleeping pills and my mother's allergy drug. I'd crossed the borderline."

Soon she was in care, and her father left to live in Egypt. Although she loved her foster mother, her life did not stabilise. Once she was admitted to hospital after cutting her wrists in the kitchen with steak knives. Another time she was taken in to stabilise the internal bleeding caused by her bulimia.

"I was five then, and I already thought that she was a domineering woman. "I think she saw me as monstrous, but — even now — I don't exactly know what happened to me. The early years are so murky. I wanted to remember specific scenes, so that I could dissipate them, and I couldn't. But I do remember

clearly the way she focused on me, constantly touching me. I felt humiliated."

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"I got to college eventually. After school I worked in a baker's, and all I did was to eat all night, throw up, steal money from the till and leave with my pockets bulging with food. When I woke the next day I'd go to the supermarket, and the whole pattern started again."

Still she did not realise how ill she was. In her adolescent eyes, she was Virginia Woolf or Sylvia Plath — a tragic heroine who could give up her sickness at a whim. She was 24 when the breaking point came.

"I had been released from hospital for the fifth time, and I woke up in a motel room. I saw myself exactly as I was — a career mental patient. A woman who had ruined her inside with bulimia, her outside with cutting. My talents were totally destroyed, and I thought suddenly it was wrong.

"It was a moral issue almost. It's wrong to kill other people, and it's wrong to kill yourself. I thought I would salvage what was left, and from that point on I was

all night, throw up, steal money from the till and leave with my pockets bulging with food. When I woke the next day I'd go to the supermarket, and the whole pattern started again."

But she never does, for she has learnt how to manage the pain so that no-one sees it. The traumas and secrets of her past were, as always, invisible on the day she revisited Mount Auburn — smart, businesslike Dr Slater, the good practitioner with the sleeves of her business suit pulled down to hide the tracks where the razor once sliced.

But as she sat in the conference room, the echo of her mother's voice was as strident as ever and her own despair as acute.

Soon afterwards she decided to write her story, more in the hope that her experiences might prove useful to others than as sticking plaster to her own hurt. For, as she had always known, some wounds never heal.

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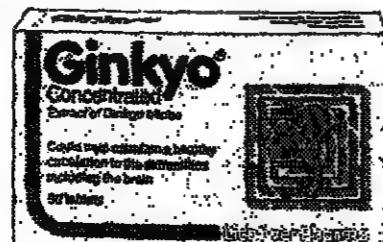


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Fatty acids and bigger babies

the likelihood of having a coronary thrombosis, it is a myth to think that the estimation of cholesterol level is a simple way of predicting those who are at risk: cardiovascular disease is the result of the interaction of many different factors.

Dr Janet Cresswell, an obstetrician

in Sheffield writing in the medical magazine *Hospital Update*,

emphasises that a coronary thrombosis is still the most likely cause of death for a man even if he is non-smoking, foregoes his fats, eats his green vegetables and has a normal blood pressure.

It is unexplained why, whereas in

most parts of the world cardiovascular disease is a problem of affluence,

in the United Kingdom it is more

likely to be found in the poor.

Dr Cresswell draws attention to

the work of Professor David Barker, of Southampton University, who has compared the infant mortality rates in different parts of Britain between 1907 and 1910 with the death rates from coronary heart disease 60 years later. The maps are almost identical — for whether living in 1910, or

living in 1970, the secret of

surviving was to live south of a line

joining the Severn to the Humber.

More detailed studies have shown

that when a once-poor district becomes affluent the mortality rate from coronary heart disease does not alter with the better lifestyle. The die, it seems, may have been cast even before the patient was delivered.

Research demonstrates that small babies have higher blood pressures when older and are more likely to

develop non-insulin-dependent diabetes, that thin babies whatever their weight have higher cholesterol levels in adult life, and that those who have been underweight as toddlers later have higher levels of fibrinogen, a clotting factor, which is implicated in the genesis of coronary heart disease.

One puzzle has been why the statistics for London, where there have always been areas of poverty, were so good. The answer, apparently, lies in the number of young country women who went to London in the first half of the century as domestic servants. Well fed during their rural childhood, they enjoyed good food while employed and went on to produce large healthy babies who were still plump at a year old and who grew up to have a low incidence of raised blood pressure, high cholesterol, heart disease and non-insulin-dependent diabetes.

DR CRESSWELL's work in the antenatal clinic may have a valuable part to play in preventing coronary heart disease. But it will complement rather than replace the advice to stop smoking, to cut back on fat, to take daily brisk exercise and to enjoy two to four glasses of wine a day, during

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THE NET THAT'S

Day two: are schools helping tomorrow's job-hunters? Plus a quiz for aspiring high-flyers

Money is the most important thing in the world, wrote George Bernard Shaw. But when it comes to motivation, money doesn't move everyone. Some jobs and tasks are intrinsically satisfying. In this case you do not need to offer a financial incentive. If you do, you run the risk of decreasing motivation. The manager who thinks otherwise is naive. Take the case of the academic who was irritated by the sound of local children playing noisily in a park near by. He told them he enjoyed the sound of their games so much that he was going to pay them a pound a day. They were delighted. But

three days later the don explained he could give them only 50p each. The next day he handed out only 10p. The children refused to play and vowed never to return. The don luxuriated in the silence. The children had learnt to focus on the cash and lost sight of what gave them pleasure in the first place.

So who are the people with the most satisfying jobs? Not the merchant banker or high-flying company executive; rather, craftsmen and women report the greatest

job satisfaction. The craftsman's enjoyment stems from the control he has over his work and the fact that he can identify with the product.

Much of current thinking about what motivates workers is based on a study in America early this century. Researchers found that psychological factors were more important, in particular how people were treated by managers.

More recently it has been discovered that workers simply want

performance almost always rises.

3 In general, groups make more accurate and less extreme decisions than individuals.

4 Most individuals do their best work under conditions of high stress.

5 When people are frustrated at work they frequently become aggressive.

6 Women are more intuitive than men.

7 Effective leaders are more concerned about people than the task.

ANSWERS: 1 True; 2-4 False; 5 True; 6-9 False; 10-11 True; 12 False.

SCORE: 3 or less: you are naive about workplace psychology and should forget any pretensions to a management position; 4-8: the situation's not hopeless but you could create many problems as you solve; 9 and above: you have that most elusive of all qualities, the ability to manage people.

ADRIAN FURNHAM

• Adapted from *All in The Mind* by Professor Adrian Furnham, 1995 (Whurr Publishers). Adrian Furnham is Professor of Psychology at University College London.

Test your management potential

MOTIVATION

to know they are loved; they want feedback on their work.

WOULD you make a good manager? Answer each question True or False.

1 In most cases, leaders should stick to their decisions, even if it appears they are wrong.

2 As morale or satisfaction among employees increases, overall per-

Careers advice? Must try harder

Can school prepare you for your working life? Are the exam subjects you study any use in getting a job, and does anything that schools have to offer ease the passage into a life spent grinding away at the inevitable mill?

We asked five former classmates from Cherwell School, a mixed comprehensive in Oxford, what they were up to now, how they got there, and whether school had had much to do with it.

Tricky questions, indeed. And the Cherwell Class of '84, using both sides of the paper and giving examples where possible, answered as follows:

Tony Haynes, 30
Chartered accountant

IT NEVER crossed my mind to be an accountant. I did Maths, Biology and Chemistry because I wanted to be a vet. I was told I wouldn't get the grades for that so I did a microbiology degree at Sheffield University.

You have no idea what you want at that age, it's hard enough knowing now. I think careers advice was Cherwell's weakest area. I did these Cascade computer tests where you fed in your interests and it told you what job would suit you. It told me to be a packing technologist in Wapping!

I worked in a lab in Oxford after my degree and it was so tedious I knew I couldn't do a PhD, so there was no chance of a job in microbiology. Accountancy was a career I could control, and not always have to worry where the next grant was coming from.

The three years' training, as a graduate with a non-relevant degree, was harder work than anything I had known.

Nuria Martinez, 29
Paediatrician

I SUPPOSE this is a vocation, but that tends to peter out when you work 90 hours a week: you forget all the nice things, and all the irritations

loom larger. I came to Cherwell from Spain when I was 16, and the most useful thing I learnt at school was English, which is quite handy if you want to be a doctor here! I did A levels in Biology, Maths and Physics which got me into Imperial College, London, to do Biology. But after working for a while in hospitals in Paris and The Gambia, I became more interested in the clinical side. I went to Balliol College, Oxford, to do medicine. I was a student for nine years in all. At the moment I am in neonatal intensive care, which is very unreal: there is

no way, so I did A levels in Art and English and then a Fine Art degree at North Humber-side College of Further Education.

Careers advice had always been very vague, and I seem to remember the computer telling me to be an occupational therapist. The idea for the business, which is called Bravissimo, came from a conversation with a friend about how difficult it was to find bras that would fit us. I did a business course and found a bank manager who was very encouraging. From a mailing list of 100 customers, when we started in January last year, we have built up to a base of more than 19,000.

This is a great job; when people ask me what I do at parties, I always want to talk about it.

Marcel Jaspers, 29
Marine chemist at Aberdeen University

I HAVE wanted to be a chemist since I was four years old, when I enjoyed making nasty smells all over the house. At 13, I started scuba diving and wondered about being a marine biologist, but I can do both — this is a coastal university and I spend a lot of time in the water.

There was no question about what I wanted to do, so I didn't need much advice. I learnt the lesson that has helped me most of all in A-level Maths. The teacher used to talk about the "helicopter view", insisting that I stood back from the problem and looked at it as a whole. I still do that every day.

Charles Webster, 30
Architect

THE computer told me I should be a chiropodist. They should perhaps have talked about careers in more general terms. I did A levels in Biology, English and Physics, mainly because they were the ones I thought I might pass.

I planned to go to furniture college, because I did a wood-work CSE and was into practical, crafty things. Someone

told me that as it was architects who designed furniture nowadays I might as well do a degree in that. So I started it at Central London Poly, and finished at Cambridge seven years later, including two years' work experience.

There is not much point telling teenagers what to do anyway — they will always disagree. If I hadn't, I would be a chiropodist by now.

GILES COREN

BEGINNERS START HERE

• "If in doubt, get a degree" is the unanimous cry from career advisers. "Employers respect a degree qualification," says Keith Dugdale, director of careers at the University of Manchester and Unist. "For 99 per cent of people it makes sense."

• While certain careers, such as veterinary science, demand specific qualifications, A-level and degree choices should be governed by enjoyment as much as career guidelines. That way you are likely to get good results. You can always do a postgraduate vocational qualification.

• Academic success does not mean hands-on experience is redundant. "Generally, a combination of both is a recipe for success," says Mr Dugdale.

• The key is self-assessment based on interests, values, aptitudes and personality quirks. Dr Bernard Kingston, director of the careers advisory service at the University of Sheffield, says: "You have to balance your abilities with your desires."

• Most towns have a careers service. Contact your local education authority for details. Universities and colleges also have their own careers units. Or contact:

• The Independent Schools Careers Organisation (01276 21388), which has useful publications and offers free counselling to member schools.

• The National Institute for Careers Education and Counselling (01223 460277) publishes career-related yearbooks.

• Many professions have a professional body which can be contacted for advice. Consult the *Education Yearbook* — most libraries have a copy — or contact Pitman Publishing (0171-379 7383).

KATHRYN KNIGHT

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Hannah Griffiths and some of her mail-order wares: "I seem to remember the computer telling me to be an occupational therapist"

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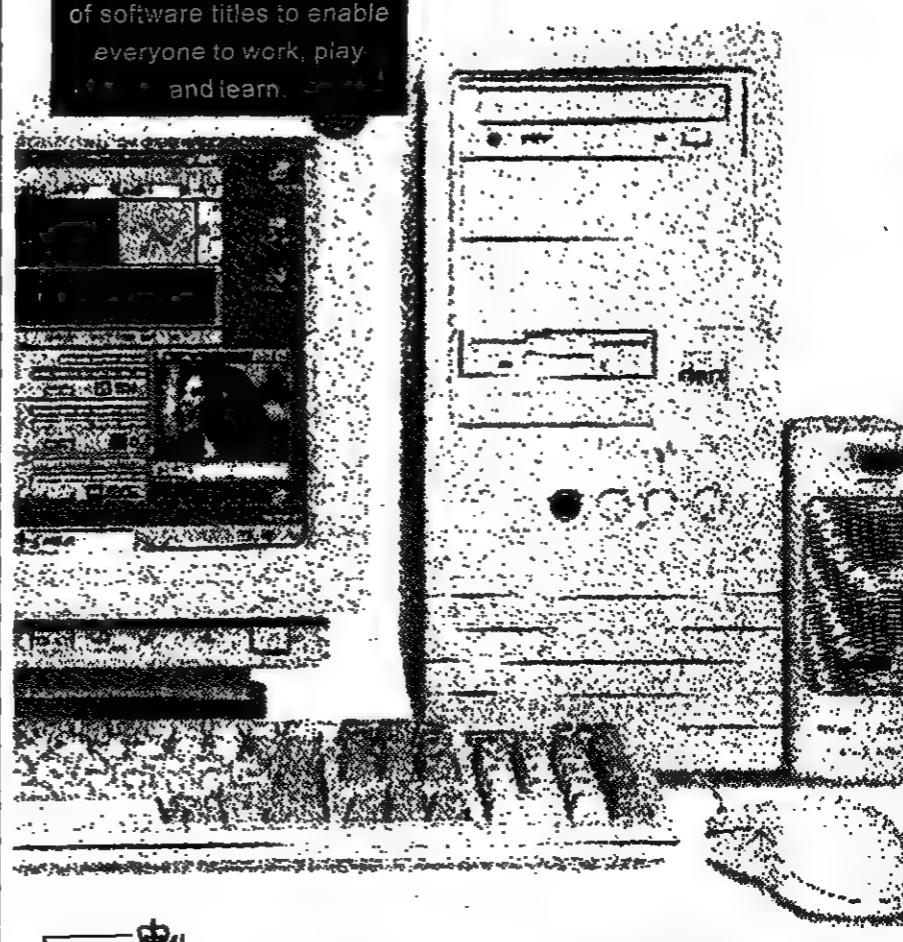
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Headmaster Blair gets on his bike

Schools could do better under Labour, says Anatole Kaletsky

The most surprising and perhaps instructive statement I heard in my odyssey through the Labour programme came in reply to a question that hardly anybody asks in these non-inflationary times. How would a Labour government deal with public sector pay demands? Wouldn't the unions expect Labour to restore the relative pay levels whittled away by decades of Tory repression?

My interlocutor seemed unflustered: "People must recognise that the more skills they have, the greater their hopes of advancement. The best way to deal with inequality is by giving people skills to enable them to improve their jobs."

If this kind of "on your bike" thinking is really now accepted by Labour — and frequent references by Tony Blair, Gordon Brown and David Blunkett suggest that it is — then it represents a transformation more significant than the rewriting of Clause Four.

Think about the implications. Labour wants to remain the party of equality, or at least of "fairness". But it now rejects traditional socialist methods of redistribution: steeply progressive taxes, ever-expanding welfare programmes, incomes policies and aggressive trade unions. It also derides as "boom-bust economies" any attempt to accelerate short-term growth.

What, then, is left of its striving for "social justice"?

Mr Blair and his friends think they have found the answer: education and training. Good education is, of course, a platitude espoused by all politician of all parties. But in new Labour's strategy it is something much more important. It is a panacea capable of delivering, at least in theory, most of the party's traditional objectives: reducing unemployment, alleviating poverty, improving social conditions and arguably even accelerating economic growth.

There is no doubt that there is huge room for improvement. Polls show acute public concern about education (with most people blaming the Conservatives), and surveys by the Institute of Directors suggest that businessmen see education as more important than any other political issue, with the possible exception of personal tax.

Labour's genuine passion for education is, therefore, not in doubt. There are now detailed position papers or speeches on a host of issues: from nurseries and class sizes to teacher qualifications and university funding. Though many of the controversial details remain vague — for example, about student loans or the precise procedures for removing bad teachers — the outlines are clear.

Labour wants most schools to remain comprehensive, but no longer favours universal mixed-ability teaching. It wants pupils divided by ability into sets for individual subjects, rather than streams for entire school years. It will tol-



KALETSKY'S LABOUR

have been obsessed with constantly reforming school structures (most recently with their proposal to recreate grammar schools), and this may have distracted them from the more important question of standards.

Thirdly, the Tories continue to focus on the top 20 per cent of pupils, although the present system already does reasonably well for these, as Mr Major concedes. The big problems lie in the lower half of the intelligence range.

Finally, there is the overarching philosophical difference between the parties. The Tory answer to all managerial problems is competition and consumer choice. But in education the market model may be inappropriate. Bad schools cannot be left to be dismantled gradually by consumer choice. Parents cannot shop around for education, as they would for a car, if only because moving children between schools imposes so much strain on children. And teachers must respond to political leadership, as well as to commercial incentives.

If any or all of these arguments are valid, then Labour might perhaps achieve better results than the Tories in education. And given the state of Britain's education after the Tories' 17 years in office, some of the arguments against their record must surely be right.

Tomorrow: Welfare, pensions and health.

Labour wants most schools to remain comprehensive, but no longer favours universal mixed-ability teaching. It wants pupils divided by ability into sets for individual subjects, rather than streams for entire school years. It will tol-

Pas de pomp

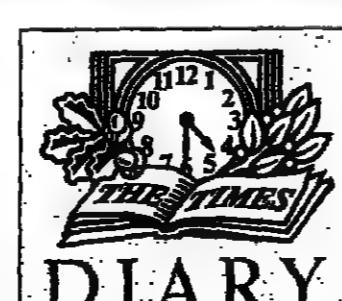
PRESIDENT CHIRAC is insisting on slumming it on his state visit to Britain next month. Though he will succumb to royal trappings when he sees the Queen, he has said that when he visits the City, the pomp must go. He does not want the customary sumptuous Guildhall banqueting laid on for heads of state, preferring a seminar on pensions at the Bank of England and little more than a grab at the buffet cart at a Guildhall business lunch.

Call it *nostalgie de la bouteille* or just the mores of modern statesmanship, but not everyone is happy. "We would normally do a banquet in the evening, but when Chirac was invited he made a point of saying he wanted it to be a working visit," says Michael Cassidy, chairman of the policy and resources committee of the Corporation of London, which runs the City. "There won't be any of the usual flags, trumpets and ceremonial speeches. He will be treated like a visiting mayor."

Citizen Chirac's other specific request, to be taken to a traditional English pub, has also been causing trouble. It had to be pointed out to the Foreign Office that the President of France could not be seen

drinking in their first-choice venue, The Duke of Wellington.

• Wanted: one diary, preferably on a golfing theme. Sir Denis Thatcher was in W H Smith's Sloane Square branch on Friday night, cane in hand, looking for a new fixture book. Directed to a meagre selection comprising one diary based on the television series *Red Dwarf* and one for sixth



formers, he strode back out to his waiting car empty-handed.

Ruff stuff

ANYONE looking for signs of panic in the Tory party might care to take note of the furious pack-shuffling going on at Conservative Central Office. The latest recruit — to the press office — is David Ruffley, for four years special adviser to the Chancellor, Kenneth Clarke.

Ruffley, who was obliged to resign from his position as special adviser when he was selected as the Tory candidate for Bury St Edmunds, is known to his journalist friends as "Treat Me" Ruffley, owing to his weakness for their expense account lunches.

• Poor Trevor McDonald. The

newspaper journalist yesterday appeared on Radio 4's Today programme to talk about the launch of the Better English Campaign. Just eight words into his first answer, his credibility was blown as he began: "Well, the practical steps we can take is..."

Boxed in

AS THE football season reaches its climax, the Blair household is riveted. The Leader of the Opposition is a supporter of second-placed Newcastle, while his son Euan is a fan of Premiership leaders Manchester United, despite having grown up in Arsenal territory.

Blair Senior recently put aside his own loyalties, however, and took Euan to see Manchester United play. According to his constituency agent, John Burton, "Tony found that Eric Cantona's dad was in the box next to them. M. Cantona doesn't speak English, so Tony spent the whole match translating between him and Euan, who couldn't believe his luck."

Fash flash

NEW YORK'S fashion crowd is buzzing with just one question: which of the Grandes Éditions owns the rights to the Princess of

Wales? Everyone assumed she was the property of Liz Tilberis, the hugely popular editor of *Harper's Bazaar* and a close friend of the Princess since her time as editor of *British Vogue*. Most of the Princess's recent visits to New York have had a Tilberis connection.

In a surprise move, however, Anna Wintour, Tilberis's rival over at *American Vogue*, has won the Princess's services for a gala dinner in September.

"Nuclear" Wintour, who leads a

lifestyle so dazzling that sunglasses

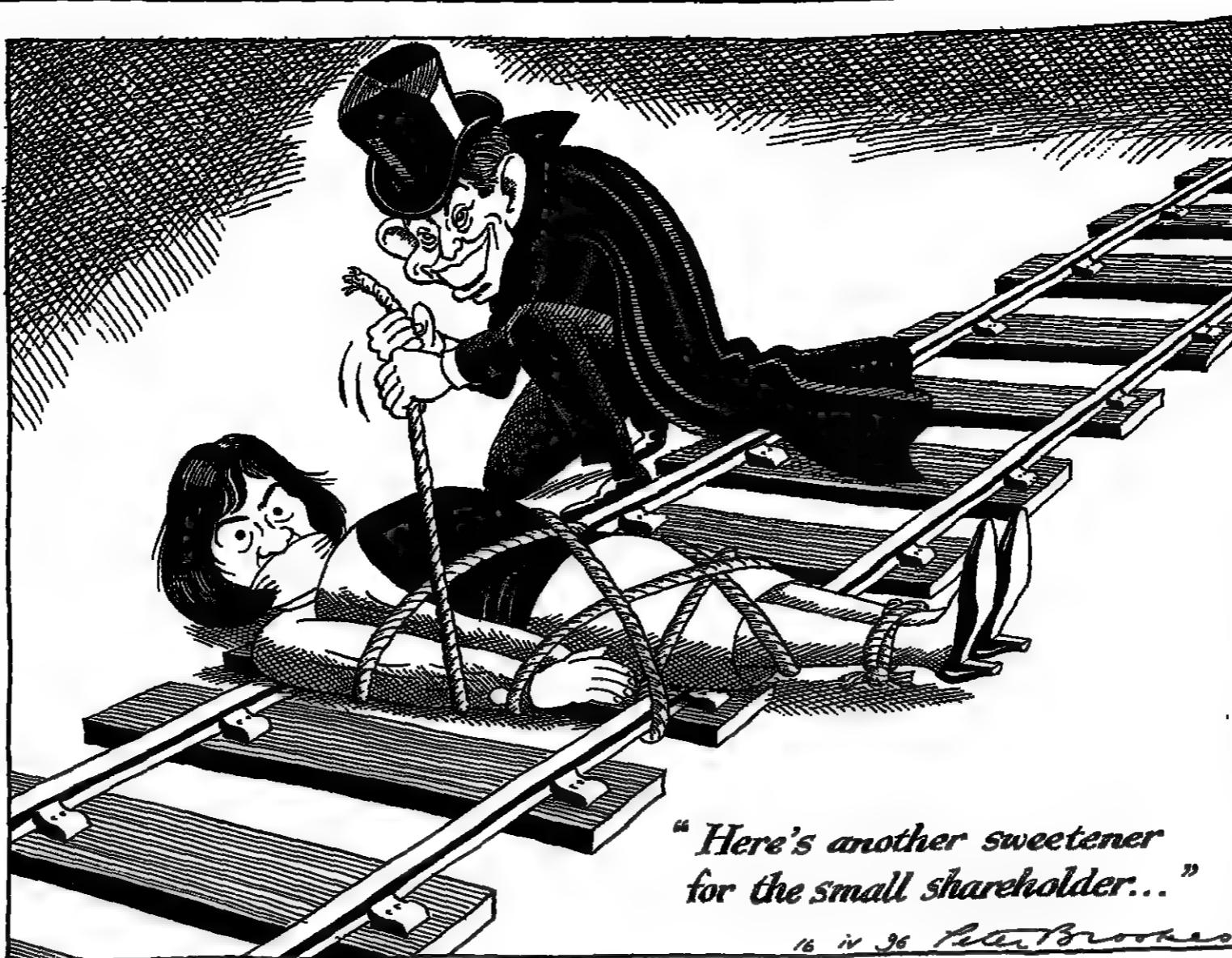
are *de rigueur*, heads a triumvirate including designer Ralph Lauren, and the proprietor of *The Washington Post*, Katherine Graham, who are organising a fundraising dinner for the Nina Hyde Centre for Breast Cancer Research.

The Princess, whose transatlantic visits usually include some really serious flattery, has agreed to attend. As Wintour explains: "To succeed, any event needs a degree of glamour."

P-H-S



"You can have either the track or the train, not both."



Slowing the Asian arms race

Joanna Pitman on Clinton's vital message to Japan

President Clinton arrives in Tokyo today on a four-day East Asian tour, during which, naturally, he will have one eye on his own domestic electoral image. More important for all of us, however, is his intention to reinforce America's commitment to stability in the region.

Asia has no security framework of its own. It is bristling with mutual distrust, and since the end of the Cold War it has become a tinderbox of military skirmishes. Without America's continuing security presence, the increasingly overt military tensions could lead to war. And given China's position as a highly militarised superpower, the danger of such a war spreading would be greater than almost anywhere else in the world.

Japan, which is central to Clinton's tour, is the key strategic base for the region, giving America a vital forward deployment that allows a quick response to conflict from East Asia to the Gulf. The recent tension in the Taiwan Strait and the full alert on the Korean Peninsula have reminded the Japanese Government of the necessity of permitting a considerable American military presence on its territory, even if this requires growing Japanese financial contributions.

The Japanese people, however, are divided on the issue. Older generations, burdened with memories of Japan's misadventures in the Second World War, are reluctant to allow Japan to shoulder responsibility for its own security. They would certainly not countenance the idea of Japanese troops participating in a permanent military framework for Asia.

Younger generations, on the other hand, have no memory of the war, and are keen for Japan to take a role on the international stage that is commensurate with its economic strength. They want Japan to have a more active foreign policy and to shake off what is seen as the "shameful and patronising" protective American umbrella.

Last month for example, the former Prime Minister Morihiro Hosokawa (now 58) called in a speech for the withdrawal of American ground forces and Marines from the islands of Okinawa (which were returned to Japan only in 1972, after 27 years of American occupation). He also suggested that Japan should reassess its constitutional restriction on its self-defence forces, and should seek a more equal role in the alliance with America.

Tension over the 47,000-strong American presence peaked last year when the rape of a 12-year-old Okinawa girl by three US Marines brought fierce protests and demands for a total withdrawal. In a deft advance move, Washington has announced the scaling down of its military presence in Okinawa by a fifth. This will appeal both to resentful locals and American voters calling for major cuts or greater contributions towards the cost of Asian commitments.

But Mr Clinton still has to tread with great delicacy in Tokyo. Given the electoral pressures and Japan's chilly welcome on the one hand, and the Korean war alert and the looming threat of a cold war with China on the other, he must assure the Asian nations that the Pentagon's planned reduction to 100,000 troops in the region is not a prelude to withdrawal.

Even if everything changes after the presidential election, the perception at very least that American forces are there to stay is vital to stability.

To those of us used to thinking about European or Atlantic security, it is surprising that Asia has no regional structure to manage anxieties and suspicions left over from old conflicts. Despite an abundance of regional trade alliances, there is no equivalent of Nato, the EU, or for that matter the Warsaw Pact.

The alarming result of this security shortfall, and of America's growing isolationism, is that almost every Asian state is stepping up its military expenditure and nervously eyeing the military budgets of its neighbours. By mid-1995, the annual defence spending of Japan and Asia's six newly industrialised countries (Indonesia, Malaysia, Singapore, South Korea, Taiwan and Thailand) had exceeded \$130 billion, which is in excess of Western Europe's.

No one likes to call this an arms race, but it has all the classic signs: long-simmering national rivalries, ethnic tensions, disputed oil reserves, international flashpoints, regular invasions of disputed islands (the Spratlys are claimed by seven different countries), highly contested maritime trade passages, two known nuclear powers (China and India) and two suspected (Pakistan and North Korea), and a highly unpredictable and belligerent superpower in the middle of everything.

As always, China dominates the strategic picture. Fewer challenges loom larger than that of building a relationship of stability and equality between China and the rest of the region. To this end, a responsible long-term attitude to Asian security by the United States is crucial. Pulling out of Asia may sound tempting to Democrat budget-cutters with only a dim and distant idea of the local dynamics; but if America does withdraw, or even hints that it might, we are all likely to be sorry.

Slowing the Asian arms race

Joanna Pigford

THE TIMES TUESDAY APRIL 16 1996



CLINTON IN JAPAN

America needs bases in Japan; Japan and Asia need them there

President Clinton arrives in Japan today as the guest of the Emperor on a visit described by the US Defence Secretary as "the most important summit since the end of the Cold War". Its immediate purpose is to strengthen the troubled US-Japan security treaty — a lapsed alliance which is vital to Asian security, and which is in need of more than cosmetic patches. Beyond that, both governments need to guide a wider public debate on why America needs bases in Japan and why Japan needs them there. The outcome could be to shift the acknowledged focus of the alliance outward, from the protection of Japan to a wider Asian security role in which, for the first time since the Second World War, Japan could play a supporting military role beyond its shores. This trip could come to be seen as a turning point in both countries' attitudes to Asian security.

The occasion is vested with exceptional significance for another reason: American presidential visits to Japan are astonishingly rare. Gerald Ford's, in 1974, was the first — nearly 120 years after Commodore Perry's "black ships" first docked in Japanese waters in the first of America's many efforts to prise open the Japanese market. Since then, there have been only six. By contrast, Japanese prime ministers travel to Washington with clockwork regularity.

This is only one, and the least important, of many asymmetries in the bilateral relationship. In the decades after the Second World War, both sides lived with them happily enough. America kept its doors open to Japanese goods, tolerating Japanese trade barriers as a necessary evil while Japan rebuilt its shattered economy. Japan embraced its pacifist postwar constitution and, sheltered by the US security umbrella, was content to play the unquestioningly loyal ally.

But as Japan's trade surplus with the US ballooned and as the end of the Cold War in Europe diminished America's enthusiasm for defending wealthy allies in Europe and Asia alike, practically every part of US-Japan relations became frayed. The Clinton Administration initially paid little attention to the military dimension. For nearly two years, tensions in the security relationship

were left simmering on the back-burner. An awkward conjunction of domestic and Japanese pressures has compelled Mr Clinton to take these issues seriously. He is faced with rising demands in Congress for Japan to assume greater responsibility for its own defence. In Japan, last year's rape of a Japanese girl by three US servicemen has fed demands from Okinawa, the tiny island that provides 75 per cent of the US base areas, for US troop withdrawals. Throughout Japan, the incident opened up unprecedented debate on sovereignty, national responsibility and the conversion of economic power into international influence.

Mr Clinton will sign a joint declaration affirming the treaty's importance. The ground has been meticulously prepared. The US will continue to base 47,000 troops in Japan; but to defuse anger on Okinawa, America will close seven bases there and hand back a fifth of the base areas' acreage. In return, Japan will provide the logistical support for US troops on peacetime exercises for which America has been pressing for eight years. There will be a careful reference to wider security co-operation in Asia.

That is as far as either side dares, for the moment, to open up the much larger question of Japanese support for American forces in combat situations. North Korea's refusal to observe the armistice agreement and China's aggressive military manoeuvres in the Taiwan Strait are sharp reminders of the damage that the alliance would suffer if US forces based in Japan had to respond to a regional crisis — and Japan declined to provide naval and other military assistance, even in a support role. But amendment to Japan's peace constitution, which renounces the right of belligerence, is a subject not only taboo in Japan until very recently, but extremely sensitive in the eyes of Japan's neighbours. The Japanese have cautiously begun to talk about becoming a "normal country" and Mr Clinton will be tempted to give this debate a nudge forward. But in the aftermath of the Okinawa rape, he would be unwise to force the pace. For now, Asian security will best be served by a seamless diplomatic repair job to this vital alliance.

Yours faithfully,
WAYLAND KENNEDY,
House of Lords.
April 9.

Democratic way to replace the Lords

From Lord Kennet

Sir, The idea of a two-stage reform of the House of Lords (report, April 8) — first get rid of the inactive hereditary peers then decide what sort of House you want — is likely to fail. The great majority of the hereditary peers would, I believe, give up their places for democracy, but not for the greatest quango of them all, which is what an appointed House would be.

To defeat them you would have to swamp them with new appointees. But two Labour election wins running cannot be guaranteed and if the Tories came back they could swamp the Labour majority with new creations in their turn. And so on: the House could grow indefinitely if there were rapid general election swings.

It would thus be wiser to avoid an interim House and go for a single-stage reform. First decide what composition would be both democratic and possible: there are several constitutionally valid forms for the necessary consultation. A proposal agreed among the parties could be put to Parliament within a year. That would still leave time for Scottish and other devolution in the first Labour Parliament.

I write as a Labour hereditary peer and a former minister in the Lords who was asked to stay there by Harold Wilson. Like all democrats, I favour an elected or mainly elected upper House, and have written and spoken to that effect for 35 years. I also took an active part in the failed attempt at reform in 1968, and would regret another failure.

Yours faithfully,
WAYLAND KENNEDY,
House of Lords.
April 9.

A teaching profession

From Lord Caldecote, FEng

Sir, It has been tragic to read of the annual conference of the National Union of Teachers, with so much emphasis given in the debates to political and "activist" issues at the expense of discussion on vital professional matters (report, April 9; letters, April 12).

Other important professions such as, for example, medicine (through the royal colleges), engineering, science, accounting and architecture all have highly regarded professional bodies who are dedicated to the promotion and maintenance of high standards in their professions. They achieve this through election to them of those who are appropriately qualified, both academically and through experience, and by disseminating the results of research.

There are normally various recognised grades such as fellows, members, graduates, each indicating a degree of professional standing. But these professional bodies, mostly set up under a royal charter, are not permitted to become involved in negotiations relating to pay and conditions of service which are the natural province of trade unions, whose work is also valuable in ensuring remuneration adequate to attract high-quality people into the profession.

But the combination of these two activities within trade unions in the teaching profession has not served it or the nation well as it has failed to provide any source of high-quality professional advice, unbiased by political considerations, to government and teaching institutions of all kinds.

It is high time that an influential and well respected all-embracing professional organisation was set up for the teaching profession in which high standards are vital.

Yours faithfully,
CALDECOTE,
House of Lords.
April 12.

Countryside attitudes

From the General Secretary of the Countryside Movement

Sir, Mr R. E. Eyres (letter, April 5) seems to suggest that the Countryside Movement (letter, March 29) is undemocratic in having only its board of directors with absolute power to determine what it does.

People are asked to register as supporters of our movement if they have an interest in the countryside. They may then, as many do, write to us with their views and concerns.

Our policy advisory group, which reports to the board, considers these in determining where the Countryside Movement could make the most effective contribution. The board, which meets only quarterly, can have the final say on policy, based on the advice it receives.

We are launching a newsletter in May to let supporters know what we have been doing and encourage them to make their views known.

Yours faithfully,
ALEX Y. ARMSTRONG,

General Secretary,
The Countryside Movement,
11 Turton Street, SW1.

April 10.

Tory blues

From Mr S. P. T. Hedley

Sir, Could Staffordshire South East have been a by-bye election result for the Conservatives (letters, April 13)?

Yours sincerely,
S. P. T. HEDLEY,
9 Bonnivale Road, Streatham, SW16.

April 16.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Iconoclasm and medieval art

From Mr T. M. Smallwood

Sir, Your first leader of April 6, "Out of the rubble", claims that the destruction of statues and images in English churches after the Reformation killed off "a self-confident tradition of excellence in sculpture and painting in these islands". More remarkably, it appears to imply that it was chiefly those still loyal to the Roman Catholic faith who valued the medieval artistic heritage. "The survival of any art from this time depended on [their] piety and providence." Despite them, "confidence in an indigenous artistic tradition was smashed along with the icons and images".

The truth is that late medieval painting and sculpture in England, though delightful, were run-of-the-mill for Western Europe, whereas in contemporary Italy and the Low Countries those arts were breathtakingly fine and innovative. That is why painting continued to flourish in and around those countries in the 16th and 17th centuries, rather than in England, and was honoured accordingly by English patrons like the rest.

Obnoxious though the iconoclasm of the Reformation may be to us, its place in the artistic history of this country, and even in the heritage of our medieval churches, is small. A greater variety and overall quantity of medieval church furnishings and fittings still survive in England than in any other comparable area of Europe north of the Alps, and the main forces of destruction have always been change in fashion and casual neglect.

Yours faithfully,
T. M. SMALLWOOD,
37 Lark Hall Crescent,
Macclesfield, Cheshire.
April 7.

From Dr J. W. E. Dunn

Sir, Richard Cork ("The Resurrection", Magazine, April 6) draws our attention to medieval sculpture, and I hope to see some of the art which he describes so feelingly.

However, I find much of his language highly emotive, and regrettably: "holocaust of destruction", "Hitler's bully boys", and "the English Reformation brutally dedicated itself to destroying... images".

We all lament the loss of great art, but this is a one-sided approach which neglects essential facts. However beautiful the buildings and their contents, they were a part of a very powerful and ruthless ecclesiastical system which would suffer no questioning of its power.

When the Bible began to appear in English the Bishop of London (Tunstall) set out to confiscate all copies and then burned them.

The Protestant iconoclasts may have burned wooden statues, but the Catholic hierarchy burned people. The saintly Chancellor More eagerly sought out "heretics", hastened to get them burned to death, and exulted in their sufferings; Tyndale was fully captured and murdered; Cranmer was burned to death. But out of their endeavours came to us the English Bible and the Prayer Book, of incalculable importance in the lives of countless English-speaking Christians.

Perhaps equally important, they built up the English language into a medium to stand beside the Classics, and to be accepted by the wider world.

Yours faithfully,
WILL DUNN,
54 Hill Avenue, Worcester.
April 9.

Queen of Herts?

From Mrs R. A. Notley

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EC directive incorrectly transposed into UK law

Regina v HM Treasury, Ex parte British Telecommunications plc
Case C-392/93

Before G. C. Rodriguez Iglesias, President, and Judges C. N. Kakouris, D. A. O. Edward, J.-P. Puissacel, G. F. Mancini, F. A. Schokweller, J. C. Molinho de Almeida, C. Guilmann and J. L. Murray
Advocate General G. Tesauro (Opinion November 23, 1995)
Judgment March 26

Although a Community telecommunications directive had been incorrectly transposed into English law, compensation was not payable for loss allegedly suffered as a result, as there was no sufficiently serious breach of Community law.

The Court of Justice of the European Communities so held, inter alia, on a reference by the Queen's Bench Divisional Court, by order of July 28, 1993, for a preliminary ruling under article 177 of the EEC Treaty, in proceedings by British Telecommunications plc for the annulment of Schedule 2 to the Utilities Supply and Works Contracts Regulations (SI 1992 No 3279), intended to implement article 8(1) of Council Directive 90/531/EEC of September 17, 1990 on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ 1990 L297 p1).

By provisions contained in it, Directive 90/531 applies, in principle, specifically to the "contracting entities" BT, Mercury Communications Ltd and the City of Kingston upon Hull.

Article 8 provides: "(1) This directive shall not apply to contracts which contracting entities

... award for purchases intended exclusively to enable them to provide one or more telecommunications services where other entities are free to offer the same services in the same geographical area and under substantially the same conditions.

"(2) The contracting entities shall notify the Commission at its request of any services they regard as covered by the exclusion referred to in paragraph (1)..."

Regulation 7(1) of the 1992 Regulations provides: "These Regulations shall not apply to the sending of offers in relation to a contract or contracts specified in Schedule 2 for the exclusive purpose of enabling it to provide one or more of the public telecommunications services specified in the Part of Schedule 1 in which the utility is specified."

Part B of Schedule 2, after specifying BT and Hull, provides: "(1) All public telecommunications services, other than the following services when they are provided within the geographical area for which the provider is licensed as a public telecommunications operator: basic voice telephony services, basic data transmission services, the provision of private leased circuits and maritime services."

Regulation 7(2) provides: "A utility specified in Schedule 2 when requested shall send a report to the minister for onward transmission to the Commission describing the public telecommunications services provided by it which it considers are services specified in the Part of Schedule 2 in which the utility is specified."

In its judgment, the European Court of Justice held:

By the early 1990s, licences to operate fixed-link telecommunications

services had been granted to BT, which in 1992 still controlled 90 per cent of telephone business, Mercury, 7 per cent, Hull and other operators.

In transposing article 8 of the directive into national law, the 1992 Regulations excluded almost all of the operators in the sector concerned, including Mercury, from the obligation to comply therewith as regards contracts for the supply of telecommunications services.

Only BT and Hull in the area for which it held a licence, remained subject to the provisions of the directive, albeit solely as regards contracts for the basic voice telephony services, basic data transmission services, the provision of private leased circuits and maritime services.

BT sought annulment of Schedule 2 to the 1992 Regulations on the grounds that regulation 7(1) and Schedule 2 implemented article 8 of the directive incorrectly: the Government had failed to transpose the criteria laid down in article 8(1) of the directive, rather than proceeded to apply them.

By determining, in respect of each contracting entity, which of the services provided met those criteria, the Government was alleged to have deprived BT of the power conferred on it by the directive to make its own decisions.

BT further claimed damages for loss it claimed to have suffered as a result of incorrect implementation of the directive, namely:

1. The additional expense borne by it in complying with the 1992 Regulations, and

2. That the regulations had allegedly prevented it from concluding profitable transactions and placed it at a commercial and competitive

disadvantage by subjecting it to the requirement, from which the other operators in the sector were exempt, to publish its procurement plans and contracts in the *Official Journal of the European Communities*.

It was in those circumstances that the Divisional Court had sought a preliminary ruling from the Court of Justice.

Article 8(2) of the directive, like articles 8(3) and 7(2), provided that contracting entities were to notify the Commission at its request of any services which they regarded as excluded under the preceding provisions.

If it were for the member states to determine the services in question, they would also be obliged to notify the Commission of the services so excluded.

Since there was no such obligation on the member states, it was for the contracting entities alone to determine the services excluded pursuant to article 8(1).

The interpretation was confirmed by the objective of Council Directive 92/13/EEC of February 25, 1992 co-ordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ 1992 L76 p14), namely:

to provide adequate legal protection for suppliers or contractors in the event of infringement of Community legislation on public procurement.

If the decision to exclude certain services from the scope of Directive 90/531 were left to the member states, economic operators would be denied recourse to the legal remedies afforded by Directive 92/13 in the event of infringement

by contracting entities of the Community rules on public procurement, in particular the right to claim damages and to apply for injunctive relief, as provided for by article 2(1), with a view to prevention or termination of any infringement.

Moreover, that interpretation made it possible to ensure equality of treatment between contracting entities and their suppliers, who thereby remained subject to the same conditions as the contracting entities.

In those circumstances, a decision to exclude certain services from the scope of the directive must be taken on an individual basis, having regard in particular to all their characteristics, the existence of alternative services, price factors, the dominance or otherwise of the contracting entity's position on the market and the existence of any legal constraints.

In Joined Cases C-36 and 48/93 *Republique de France, R. v. Secrétaire d'Etat pour le Transport, Ex parte Factortame Ltd* (No 4) (The Times March 7), the Court ruled, with regard to a breach of Community law for which a member state acting in a field in which it had a wide discretion in taking legislative decisions, could be held responsible, that Community law conferred a right to reparation where three conditions were met:

The rule of law infringed must be intended to confer rights on individuals; the breach must be sufficiently serious, and there must be a direct causal link between the breach of the obligation resting on the state and the damage sustained by the injured parties.

Those same conditions must be applicable to the situation where a member state incorrectly transposed a Community directive into national law, since a restrictive approach to state liability was justified by the same reason.

namely, the concern to ensure that the exercise of legislative functions was not hindered by the prospect of actions for damages whenever the general interest required the Community institutions or member states to adopt measures which might adversely affect individual interests.

While it was in principle for the national courts to verify whether or not the conditions governing state liability for a breach of Community law were fulfilled, in the present case the Court had all the necessary information to assess whether the facts amounted to a sufficiently serious breach of Community law.

On those grounds, the Court of Justice ruled:

1. It was not open to a member state, when transposing Directive 90/531 into national law, to determine which telecommunications services were to be excluded from its scope in implementation of article 8(1), since that power was vested in the contracting entities themselves.

2. The criterion laid down by article 8(1) of the directive, namely that "other entities are free to offer the same services in the same geographical area and under substantially the same conditions" was to be verified only as a matter of law or also as a matter of fact, and, if the latter, what matters were to be taken into account for the purposes of assessing whether a particular service, real competition existed in the telecommunications market.

BT's interpretation that the criterion was fulfilled where there were legal or regulatory provisions guaranteeing, in law, freedom of competition in the sector concerned, so obviating any need to consider whether such competition existed in practice, ran counter to the wording and purpose of article 8(1).

The criterion was couched in general terms in article 8(1), moreover, the 13th recital in the preamble stated that, to fall outside the scope of the directive, activities of contracting entities must be "directly exposed to competitive forces in markets to which entry is unrestricted".

Consequently, the criterion in article 8(1) meant that other

contracting entities must not only be authorised to operate in the market for the services in question, without any legal barrier to entry thereto, but must also be in a position actually to provide the services in question under the same conditions as the contracting entities.

In those circumstances, a decision to exclude certain services from the scope of the directive must be taken on an individual basis, having regard in particular to all their characteristics, the existence of alternative services, price factors, the dominance or otherwise of the contracting entity's position on the market and the existence of any legal constraints.

According to the case law of the Court of Justice:

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2. The criterion laid down by article 8(1) of the directive, namely that "other entities are free to offer the same services in the same geographical area and under substantially the same conditions" was to be verified only as a matter of law or also as a matter of fact, and, if the latter, what matters were to be taken into account for the purposes of assessing whether a particular service, real competition existed in the telecommunications market.

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In the present case, article 8(1) was imprecisely worded and was reasonably capable of bearing, as well as the construction applied to it by the Court in the present judgment, an alternative interpretation given to it by the United Kingdom, and shared by other member states, in good faith and on the basis of arguments which were not entirely devoid of substance and were not manifestly contrary to the wording of the directive or to the objective pursued by it.

Moreover, no guidance was available to the United Kingdom from case law of the Court as to the interpretation of the provision at issue, nor did the Commission

offer committed by the state.

The Court concluded that article 235 could not be used as a basis for the adoption of provisions whose effect would, in substance, be to amend the Treaty without following the procedure which it provided for that purpose.

While respect for human rights was a condition of the lawfulness of Community acts, accession to the Convention would entail a substantial change in the present Community system for the protection of human rights in that it would also be implied from those provisions.

The court had held, in particular, that, whenever Community law had created for the institutions of the Community powers within its internal system for the purpose of attaining a specific objective, the Community was empowered to enter into the international commitments necessary for attainment of that objective even in the absence of an express provision to that effect: *Opinion No 2/91* (1993 ECR I-1061, para 7).

No Treaty provision conferred on the Community institutions any general power to enact rules on human rights or to conclude international conventions in that field.

In the absence of express or implied powers for that purpose, it was necessary to consider whether article 235 of the Treaty could constitute a legal basis for accession.

In conclusion, the court gave the following opinion:

As Community law at present stood, the Community had no competence to accede to the Convention for the Protection of Human Rights and Fundamental Freedoms.

Community cannot accede to Convention on Human Rights and Fundamental Freedoms

Opinion No 2/94

Before G. C. Rodriguez Iglesias, President, and Judges C. N. Kakouris, D. A. O. Edward, J.-P. Puissacel, G. F. Mancini, F. A. Schokweller, J. C. Molinho de Almeida, C. Guilmann and J. L. Murray, Advocate General G. Tesauro (Opinion November 23, 1995)

As Community law stood at present, the European Community had no competence to accede to the Convention for the Protection of Human Rights and Fundamental Freedoms of November 4, 1995.

The Court of Justice of the

European Communities, after considering observations on behalf of governments of the member states and the Council of the European Union, the Commission of the European Communities and the European Parliament, and hearing the views of the advocates general, so held when giving an opinion pursuant to a request by the Council under article 228(6) of the Treaty.

The Court of Justice had upheld the protection of fundamental rights by way of general principles of Community law, referring to common constitutional traditions and to international instruments, in particular the Convention.

Drawing on that case law, the Single European Act referred in its Preamble to respect for the fundamental rights recognised in the constitutions and laws of the member states, the Convention and the European Social Charter.

Article 228(6) of the Treaty provides: "The Council, the Commission or a member state may obtain the opinion of the Court of

ECSC or EAEC Treaties made any specific reference to fundamental rights other than by resolving "to preserve and strengthen peace and liberty" in the last recital in the Preamble.

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Drawing on that case law, the Single European Act referred in its Preamble to respect for the fundamental rights recognised in the constitutions and laws of the member states, the Convention and the European Social Charter.

Article 232 provides: "If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament, take the appropriate measures."

In its opinion the Court of Justice stated, inter alia:

Neither the EC Treaty nor the

ECSC or EAEC Treaties made any specific reference to fundamental rights other than by resolving "to preserve and strengthen peace and liberty" in the last recital in the Preamble.

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In its opinion the Court of Justice stated, inter alia:

Neither the EC Treaty nor the

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Richard Layton's pride and joy continues roar towards ITF's £50,000 prize

Charging Lions spell danger to leaders' safety

Just when Jones Boys Six and Gohil's Gods 65 thought it was safe, there is a new shark in the water. For weeks, the top two have been vying for position as the biggest fish in the Interactive Team Football (ITF) pond. Unbeknown to them, though, Richard Layton has been circling and is ready for the kill.

Layton's Lions are now a mere 20 points behind Jones Boys Six and catching fast. Carefully scanning the pages of *The Times* over the past few weeks, Layton has picked up snippets of information about his rivals and is now playing the odds in the FA Carling Premiership and trying to outwit his rivals.

For example, Gohil's Gods have relied on Peter Schmeichel in goal, so Manchester United's 3-1 disaster at The Dell on Saturday was the cause of much rejoicing in Stanmore. Not only had Gohil's Gods lost a handful of points, but Layton had made up even more ground by having Neil Shipperley in his line-up.

Layton said: "Of course, I am looking for players who are going to do well, but I also look to maximise the number of games they are going to play. I look to see which teams are playing on Saturday and then maybe Tuesday or Wednesday and make the transfers around that."

Recently, the wheeling and dealing has brought in the profits. On Easter Monday alone, his team earned 31 points. Layton signed up Robbie Earle six weeks ago and he has scored in his past two games; he bought Batty just in time for him to score his first goal for Newcastle United and even Ian Woan, brought in by Nottingham Forest for the match with Blackburn Rovers on Saturday, earned maximum points. Forest 3-1, but Woan scored.

"It is a bit of luck really," Layton said, "but I like to think I have got a bit of an idea what I am doing."

Peter Beardsley is a new acquisition. For most of the season, Layton has trusted in Robbie Fowler, but, with Liverpool lying idle until



IN ASSOCIATION WITH



night, Fowler was ditched and Beardsley brought in for Newcastle's encounter with Aston Villa on Sunday. He was then promptly dropped in time for the Merseyside derby tonight — Fowler making his comeback — and may lose his place to Ferdinand for Newcastle meeting with Southampton tomorrow.

It was the north London derby last night that caused the most pain. Layton has been a Tottenham Hotspur supporter for the past 25 years, yet he has none of their men in his team. He does, however, have Martin Keown in Layton's Lions and, last week, Jones Boys Six were playing with Chris Armstrong and Teddy Sheringham up front: Layton's heart may have been behind Tottenham, but he was behind them.

All matches in the Premiership and FA Cup involving Premiership clubs count and your players and manager win and lose you points. With Jones Boys Six setting the pace, it is time for you to delve into the transfer market?

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the £50,000 prize or the monthly £5000 prizes.

With ITF, not only are you pitting your selectorial skills against other readers of *The Times*, you are also matching your wits against those in the know. With the support of the Professional Footballers' Association, Premiership players have been encouraged to enter sides of their own, and on the opposite page we take a look at how they are progressing.

All matches in the Premiership and FA Cup involving Premiership clubs count and your players and manager win and lose you points. With Jones Boys Six setting the pace, it is time for you to delve into the transfer market?

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All matches in the Premiership and FA Cup involving Premiership clubs count and your players and manager win and lose you points. With Jones Boys Six setting the pace, it is time for you to delve into the transfer market?

* must have played for 75 minutes in the match
† must have played for 45 minutes in the match

GOALS

GO

The players' weekly and overall scores and their values if you are considering the transfer option

Code	Name	Team	Wk	Wk	Wk
10101	T Flowers	Blackburn Rovers	5.00	-2	-14
10102	B Mimms	Blackburn Rovers	1.00	0	-1
10201	P Schmeichel	Manchester United	5.00	0	+36
10203	A Coton	Manchester United	2.50	0	0
10301	M Crossley	Nottingham Forest	2.50	-10	-31
10302	T Wright	Nottingham Forest	1.00	0	0
10303	A Freitas	Nottingham Forest	1.50	0	0
10401	D James	Liverpool	3.50	+5	+52
10402	A Warner	Liverpool	0.25	0	0
10501	J Lukic	Leeds United	3.00	-12	-19
10502	M Beeneny	Newcastle United	0.75	0	-9
10601	P Smitek	Newcastle United	3.00	0	-5
10602	M Hooper	Newcastle United	1.00	0	0
10603	S Hislop	Newcastle United	3.00	+2	+5
10701	I Walker	Tottenham Hotspur	2.50	-1	+1
10702	E Thorstvedt	Tottenham Hotspur	1.00	0	0
10801	A Roberts	Queens Park Rangers	1.50	0	-7
10802	S Dykstra	Queens Park Rangers	1.00	0	0
10803	J Sommer	Queens Park Rangers	1.00	-2	-18
10804	H Segers	Wimbledon	1.50	0	-7
10902	N Sullivan	Wimbledon	0.75	+4	-19
10903	P Heald	Wimbledon	1.50	0	-38
11001	B Grobelaar	Southampton	1.50	-5	0
11002	D Beasant	Southampton	0.75	-1	-29
11101	D Kharine	Chelsea	2.50	-1	+7
11102	K Hitchcock	Chelsea	1.00	-3	-18
11201	D Seaman	Arsenal	5.00	-1	+28
11202	V Bartman	Arsenal	0.50	0	0
11301	K Pressman	Sheffield Wednesday	2.50	+4	-42
11302	C Woods	Sheffield Wednesday	2.50	0	-6
11401	L Mikkoski	West Ham United	2.50	+2	-10
11402	N Bailey	West Ham United	0.50	0	-5
11501	N Southall	Everton	2.50	-5	-3
11502	J Kearton	Everton	0.75	0	0
11601	S Ogrizovic	Coventry City	1.50	+4	-29
11602	J Gould	Coventry City	0.75	0	0
11603	J Filan	Coventry City	1.50	0	-35
11702	A Dibble	Manchester City	2.50	0	0
11703	E Immel	Manchester City	2.00	0	-41
11801	M Bosnich	Aston Villa	2.50	+4	+33
11803	M Okales	Middlesbrough	2.00	-4	-1
11901	A Miller	Middlesbrough	0.75	0	-13
11902	G Walsh	Bolton Wanderers	0.50	0	-88
12001	K Branagan	Bolton Wanderers	0.50	0	-6
12002	A Davison	Bolton Wanderers	0.50	-2	-7



Fabian De Freitas, second left, has enjoyed happier times with his ITF team. The Fab 12, than his club, Bolton

HOW THE PROFESSIONALS' ITF TEAMS ARE FARING

Pos	Team	(Player's name)	Pts	36	Silver Band Club XI	(T Blake)	334
1	Danish Dynamite	(J Molby)	479	38	Toshy's Welsh Team	(J Rush)	333
2	West Shambles Utd	(S Webster)	433	40	Eleven From Heaven	(A Limpar)	333
3	Nash FC	(M Powell)	426	40	Irish Connection	(W Boland)	330
4	Ratus Norvegicus	(S Pearce)	412	41	Squash Hubbes	(D Dicchio)	329
5	Teds XI	(B Horne)	398	42	Sabs Eleven	(S Bould)	328
6	Dred Select	(S Morgan)	393	43	Fergies Flyers	(D Ferguson)	321
7	Southgate Old Boys	(M Allen)	387	44	Sheriff City FC	(C Tiler)	320
8	Cadbury Buset	(D Buss)	387	44	Goochies	(N Southall)	320
9	The Ruff Necks	(R Fox)	386	47	Pedro's Pearls	(P Beardsley)	317
10	Macs Moodies	(A McDonald)	386	47	Mine Mine United	(S Hodge)	315
11	The Moody Blues	(N Spackman)	378	48	Tallight Town	(G O'Toole)	309
12	MBL's	(D Peacock)	377	48	Hitchys XI	(K Hitchcock)	306
13	JC's Superstars	(S Clarke)	375	50	The True Vikings	(S Bjornesby)	305
14	Dodgy Barnets Eleven	(J Beresford)	372	51	Complete Madness	(S Chettie)	304
15	Poeho	(M Kennedy)	371	51	Sheep In White Socks	(D Phillips)	304
16	Pure Silk	(T Sinclair)	369	51	Smokin' Cigars	(N Zeilic)	297
17	The Bluenoses	(J Spencer)	369	54	The Flair Boys	(L Clark)	295
18	J & F FC	(J Beresford)	368	55	Keepers Grepasers	(S Ogrizovic)	290
19	Fantazina	(D Platt)	367	55	Gemmies Gems	(G Strachan)	278
20	The Crazy Boys	(N McDonald)	367	58	The Leprecons	(K Gillespie)	273
21	Bullock Toon	(S Stone)	366	58	Kirby Krunchers	(A Stubbs)	272
22	The Fab 12	(F Defrelats)	363	58	Telfon Town	(K Branagan)	271
23	Whiffy Wimmers	(S Whitaker)	355	60	Kit & Kaboodle	(J Moncur)	268
24	Quango Utd	(B Borrows)	354	60	Smart Team	(J Gould)	268
25	Barkers Follies	(S Barker)	354	62	Raggy Rovers	(J Darby)	264
26	Kansas City Kings	(T Breaker)	353	62	Lifes A Pitch	(B Marwood)	264
27	Robz Rockets	(R Lee)	353	64	Pie Men	(J Parkinson)	263
28	Bruces Bonus	(A Hinchcliffe)	352	64	Goalies 11	(D Seaman)	261
29	Ryton Raiders	(G Gillespie)	350	65	Foreign United	(R Sneakes)	254
30	Avenue Foch Town FC	(M Crossley)	348	66	Spice Islanders	(B Batson)	248
31	Cracker Jacks	(S Elicit)	340	67	Manchester Marauders	(A Pickering)	246
32	The Warriors	(S Dykstra)	338	69	Ryton Wanderers	(P Shilton)	245
33	Prince's Team	(A Philippe)	338	72	One Footed Wonders	(D Fairclough)	224
34	Fast Attack	(D Lee)	337	70	Champagne Charlies	(S Osborn)	223
35	Ely's Eggs	(R Elliott)	335	71	Steamo Utd	(J Williams)	213

Code	Name	Team	Wk	Wk	Wk
20101	H Berg	Blackburn Rovers	3.50	0	+20
20102	G Le Saux	Blackburn Rovers	4.50	0	+3
20103	J Kennedy	Blackburn Rovers	3.50	-1	+28
20104	G Croft	Blackburn Rovers	1.50	0	0
20201	D Irwin	Manchester United	4.50	+2	+39
20202	P Parker	Manchester United	2.50	0	+1
20203	G Neville	Manchester United	2.50	+2	+22
20204	P Neville	Manchester United	0.75	0	+35
20301	S Pearce	Nottingham Forest	4.50	+4	+25
20302	D Little	Nottingham Forest	3.00	-2	+19
20303	A Hasland	Nottingham Forest	1.00	-4	-17
20401	R Jones	Liverpool	3.00	0	+54
20402	S Bjornebye	Liverpool	3.00	+4	+8
20403	S Harkness	Liverpool	0.75	0	+30
20501	T Dorigo	Leeds United	3.50	0	+15
20502	G Kelly	Leeds United	3.00	-6	+16
20503	N Worthington	Leeds United	1.50	0	-4
20601	J Beresford	Newcastle United	3.00	-1	+11
20603	W Barton	Newcastle United	3.00	0	+24
20701	D Austin	Tottenham Hotspur	2.50	0	+12
20702	J Edinburgh	Tottenham Hotspur	1.50	-1	+2
20703	S Campbell	Tottenham Hotspur	1.50	0	+38
20704	D Keates	Tottenham Hotspur	1.00	0	0
20705	C Wilson	Tottenham Hotspur	2.50	-1	+18
20801	D Bardsey	Queens Park Rangers	2.00	-1	-13
20802	G Brett	Queens Park Rangers	1.50	0	-14
20803	N Zelio	Queens Park Rangers	2.50	0	-3
20804	T Challis	Queens Park Rangers	1.00	0	-1
20901	A Kimble	Wimbledon	2.50	-3	-1
20902	G Elkln	Wimbledon	1.50	0	-8
20903	K Cunningham	Wimbledon	1.50	-3	-15
20904	R Joseph	Wimbledon	0.75	0	0
21001	J Dodd	Southampton	1.50	-3	+16
21002	F Benali	Southampton	1.00	-2	+4
21003	S Charlton	Southampton	1.00	-2	+6
21004	S Clarke	Chelsea	1.50	-1	+11
21005	S Minto	Chelsea	1.50	-1	+1
21006	A Myers	Chelsea	0.50	-2	

THE TIMES TODAY

TUESDAY APRIL 16 1996

NEWS

Portillo backs Israeli action

■ Michael Portillo openly supported Israel's continuing military action against Hezbollah in southern Lebanon, after helicopters fired rockets into Beirut's suburbs.

Appearing to breach the Government's previously agreed cautious position on Israel's aerial and artillery bombardment, the Defence Secretary, after a meeting with Shimon Peres, the Israeli Prime Minister, rejected accusations that the Israeli military response was "disproportionate". Page 1, 11

Oxford to return 'tainted' endowment

■ Oxford University agreed to return "with regret" the £350,000 endowment from Dr Gert-Rudolf Flick, the London-based grandson of the Nazi sympathiser Friedrich Flick, after a fierce campaign from dons and the Jewish community who had argued that the cash was "tainted". Page 1

Railtrack package

Investors in the £1.8 billion Railtrack flotation will be offered the most generous package of sweeteners since the first large-scale privatisations a decade ago, the Government said. Page 1

Down to Earth

Judges must shed their aloof image and speak out to show they do not live "on another planet", the Lord Chief Justice said. Page 1

Short silenced

Clare Short, the Shadow Transport Secretary, was silenced after she lambasted Labour spin-doctors for criticising her support of increased taxes for high earners, being replaced in media interviews about Railtrack by her deputy. Page 2

Assault denial

One of Scotland's leading churchmen, Professor Donald Macleod, 54, denied a series of sexual assaults on five women, a court in Edinburgh was told. Page 3

Breathe of life

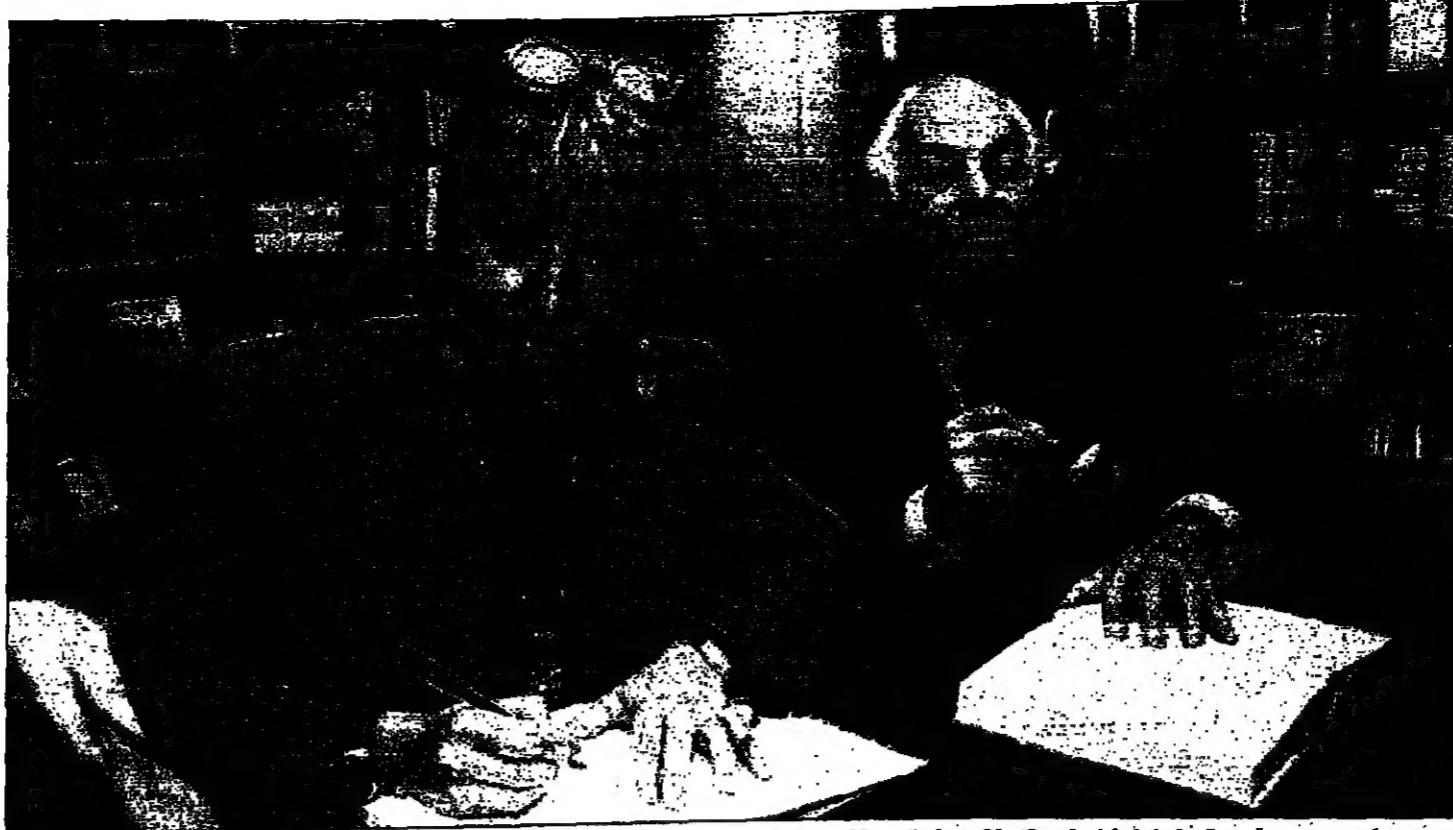
British surgeons have pioneered a life-saving transplant to replace the windpipe in children and babies who cannot breathe. Page 5

War crime trial

Britain's first war crimes trial will begin at the Old Bailey this autumn with Szymon Serafinowicz, 85, in the dock accused of murdering unknown Jews in Nazi-occupied eastern Europe. Page 6

The clean royal secret of Henry VIII

■ It was the sort of stylish purchase to clean up the Tudor image, impress visitors and maybe lure a future wife. It was lost to history for centuries, but now it can be revealed: Henry VIII had a Turkish bath. Specially fitted from the latest in continental designs, it had a sunken bath, a stove more than 12ft high, and British-made tiles with the royal crest. Page 4

Carol Thatcher signing copies of *Below the Parapet*, her biography of her father Sir Denis (right), in London yesterday.

BUSINESS

Railtrack: The company that owns Britain's rails and signals will be sold off on May 1 and dealings in the shares will start on May 20, it was announced. Page 25

Economy: Two surveys published today show a big jump in high street spending last month and the strongest housing market performance for two years. Page 25

Electricity: The first American company to buy a British utility looked likely to pounce on South West Water. Page 10

Markets: The FT-SE 100 Index rose 23.7 points to close at 3740.5. Sterling's trade-weighted index remained unchanged at 83.6 after a fall from \$1.5112 to \$1.5077 but a rise from DM22.731 to DM22.769. Page 28

Doyle's choice?

A cheery and rotund John Engler, 47, arrived for work in jeans, and a blue-and-orange Detroit Tigers' windcheater and matching baseball cap. He did not look like a man widely tipped to be Bob Doyle's running mate. Page 12

Golden show

Schliemann's Treasure, a Trojan gold hoard looted from post-Second World War Germany and hidden by Stalin, went on display at Pushkin Museum. Page 13

TOMORROW

IN THE TIMES

SPORT

Golf: Nick Faldo should have known his victory in the Masters would never be run-of-the-mill because his major championship wins rarely are. Page 48

Rugby union: The road to the 1999 World Cup finals, to be hosted by Wales and its five nations partners, will begin later this year in Trinidad and Tobago. Page 44

Cricket: Brian Smith, of Leicestershire, scored the first century of the season, when he made 123 not out against Oxford University in the Parks. Page 44

Football: Ian Rush, the most prolific goalscorer in the history of the Liverpool derby, will almost certainly be a substitute in his final appearance as a Liverpool player. Page 34

Maestro returns: For the first time in more than a decade Italian maestro Riccardo Muti is back to conduct the Philharmonia. Page 35

Day two: the future of work: Does careers advice help school-leavers? Are you management material? Beginners start here. Page 15

ARTS

Wayward Hayward: Unloved and unloved, the Hayward Gallery must be given bigger premises and a new sense of direction. Richard Cork writes. Page 33

New RSC theatre: A £10 million plan to build a 700-seat Islington theatre is being suggested as a London home for the Royal Shakespeare Company and Manchester's Royal Exchange Theatre. Page 34

Game on: D. H. Lawrence's *Lady Chatterley's Lover* has a new London staging. "There is no point pretending that *Lady Chatterley* has much urgency today," Benedict Nightingale writes. Page 34

Doctors suffer too: Mary Riddell, Dr Lauren Slater, a psychologist whose childhood was spent receiving the treatment she now administers to others. Page 14

Dr Thomas Stuttaford says margarine is still better than butter for those who are high-cholesterol sufferers. Page 14

LAW

Under-age killers: What powers should the Government have for the jailing of children who murder? Page 37

Simple arithmetic: If courts worked longer hours, remand prisoners would be dealt with more quickly and prisons would be less clogged. Page 39

THE PAPERS

In all the anxious talk about Russia's possible desire to re-establish its empire, one aspect too often has been overlooked: the desires of those who might ostensibly be taken over. The other 14 republics of the former Soviet Union are not passive players... but sovereign nations with an increasingly confident awareness of their own interests and their place in the world. — *The Washington Post*

ANTHONY UPTON

Preview: Quiz show host William G. Stewart urges the return of the *Elgin Marbles*. *Without Walls* (Channel 4, 9pm). Review: Matthew Bond on Britain's republicans. Page 47

Clinton in Japan

Amendment to Japan's peace constitution, which renounces the right of belligerence, is a subject not only taboo in Japan until very recently, but extremely sensitive in the eyes of Japan's neighbours. Page 17

People's billionaire

The purity of Sir James Goldsmith's message — consult the people, then let them vote again in a general election — is appealing to an electorate that has been fed cloudy platitudes. Page 17

Steam heat

Henry VIII's sauna shows comfort as well as cleanliness is engrained in the English character as deep as schoolboy grime. Page 17

PETER RIDDELL

Nobody who has ambitions for a lasting political career is likely to defect from the Tories to Labour. Of course, many MPs are unhappy about the state of their party and its drift in a Euro-sceptic direction. But policy disengagement is not usually enough to change party. Page 8

LIBBY PURVES

A crucial balance has tilted, and a time without precedents is upon us. Or will be, some time in the next four years. By the millennium, more than half the human race will live in towns and cities. Page 16

ANATOLE KALETSKY

Labour wants to remain the party of equality, or at least of "fairness". But it now rejects traditional socialist methods of redistribution. What, then, is left of its striving for "social justice"? Page 16

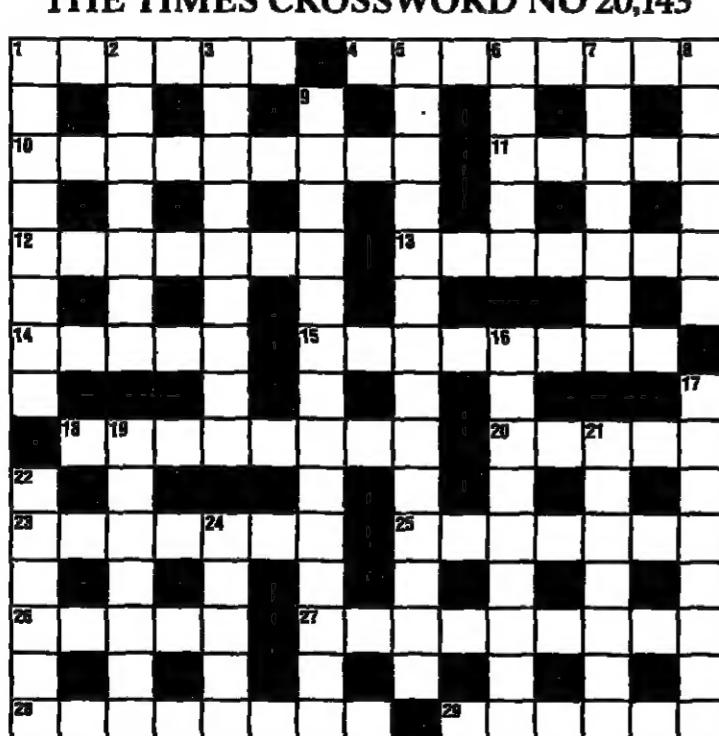
Winifred Shattock

actress: Dr Frederick Miller, Reader in Social Paediatrics at the University of Newcastle upon Tyne, 1957-74; Donald Adams, opera and opera singer. Page 19

Servicemen in Cyprus; iconoclasm and medieval art; replacing the Lords

Page 17

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